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DURING

ROGER WOLCOTT'S GOVERNORSHIP

OF THE

COLONY OF CONNECTICUT

1750—1754

WITH SOME OF EARLIER DATE

HARTFORD
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CONTENTS.

	Page
Introduction,	xxiii
Sketch of Roger Wolcott,	xxv
Richard Partridge to James Grenville (L. S.), Nov. 17, 1750. Agents Letters, 38,	1
Richard Partridge to John Sharpe (L. S.), Nov. 22, 1750. New York Public Library,	2
Richard Partridge's Petition to the King. New York Public Library; Chalmers Papers,	3
Roger Wolcott to William Greene, Nov. 26, 1750. State Archives: Colonial Boundaries, III. 106,	6
Thomas Fitch to Roger Wolcott (A. L. S.), Nov. 30, 1750. Roger Wolcott Papers, I. 135,	7
Boundary Controversy with Massachusetts (A. D. of Thomas Fitch). State Archives: Colonial Boundaries, III. 107,	8
Roger Wolcott to Richard Partridge (L. S.), Dec. 15, 1750. Roger Wolcott Papers, I. 136,	18
Roger Wolcott to Josiah Willard, Dec. 17, 1750. State Archives: Colonial Boundaries, III. 108,	19
Roger Wolcott to William Partridge (L. S.), Dec. 17, 1750. Roger Wolcott Papers, I. 137,	21
George Clinton to Roger Wolcott (L. S.), Dec. 18, 1750. Roger Wolcott Papers, I. 138,	22
Roger Wolcott to Lords Commissioners for Trade and Plantations, Dec. 31, 1750. Council Orders, 28,	25
Roger Wolcott to Richard Partridge (L. S., post script A. L. S.), Jan. 5, 1750/51. Agents Letters, 31,	26
William Greene to Roger Wolcott (A. L. S.), Jan. 5, 1750/51. State Archives: Colonial Boundaries, III. 109,	27
Duke of Bedford to Colony of Connecticut (L. S.), Jan. 10, 1750/51. Council Orders, 29,	28
Nehemiah Greenman to Joseph Bellamy (A. L. S.), Jan. 16, 1750/51. Connecticut Historical Society,	29
Ashton Warner to Roger Wolcott (A. L. S.), Jan. 24, 1750/51. Council Orders, 30,	31
Duke of Bedford to Colony of Connecticut (L. S.), Feb. 1, 1750/51. Council Orders, 31,	32
Erastus Wolcott's Certificate (? A. L. S.), British Museum: Added Manuscripts, 15487,	33

Page

John Sharpe to Richard Partridge (L. S.), Feb. 25, 1750/51. Agents Letters, 32, ... 33
Richard Partridge to Roger Wolcott (L. S.), Feb. 27, 1750/51. Massachusetts Historical Society: Trumbull Papers, I. 3, 34
West India Merchants to Commissioners for Trade and Plantations. Agents Letters, 41, ... 36
Benjamin Avery to Roger Wolcott (A. L. S.), March 5, 1750/51. Roger Wolcott Papers, I. 132, ... 40
Richard Partridge to Roger Wolcott (L. S., last part A. L. S.), March 7, 1750/51. Agents Letters, 39, ... 41
Roger Wolcott to Colony of Massachusetts (A. L.), March 13, 1750/51. State Archives: Colonial Boundaries, III. 111, 43
Richard Partridge to Roger Wolcott (L. S.), March 15, 1750/51. Agents Letters, 37, ... 44
Duke of Bedford to Colony of Connecticut (L. S.), March 21, 1750/51. Council Orders, 32, ... 45
William Greene to Roger Wolcott (A. L. S.), April 8, 1751. Roger Wolcott Papers, I. 143, ... 46
Samuel Sparrow to Roger Wolcott (A. L. S.), April 10, 1751. Roger Wolcott Papers, I. 144, ... 47
Richard Partridge to Roger Wolcott (L. S.), April 11, 1751. Roger Wolcott Papers, I. 145, ... 48
Elisha Williams to Trumble, Pitkin and Williams (A. L. S.), April 12, 1751. Massachusetts Historical Society. Trumbull Papers, I. 31, ... 50
George Clinton to Roger Wolcott (L. S.), April 13, 1751. Council Orders, 33, ... 52
Proceedings of the King in Council (D. S.), April 24, 1751. Massachusetts Historical Society: Trumbull Papers, I. 32, 53
Richard Partridge to Roger Wolcott (L. S.), April 26, 1751. Agents Letters, 40, ... 53
Matthew Graves to the Bishop of London (? A. L. S.), April 29, 1751. Fulham Palace: Connecticut Letters, 25, . . 55
Testimony of Jacob Ford, Jan. 3, 1750/1. Fulham Palace, Connecticut Letters, 60, ... 58
Testimony of Joseph Man and William Penock, Jan. 3, 1750/51. Fulham Palace: Connecticut Letters, 60, ... 58
Testimony of John Peters and Nathan Rowlee, Jan, 3, 1750/51. Fulham Palace: Connecticut Letters, 26, ... 59
John Tompson to Matthew Graves (? A. L. S.), Jan. 5, 1750/51. Fulham Palace: Connecticut Letters, 26, ... 59
New Haven County Merchants' Memorial (D. S.), May 6, 1751. State Archives: Trade and Maritime Affairs, I. 156, . 60
Hartford County Merchants' Memorial (D. S.), May, 1751. State Archives: Trade and Maritime Affairs, I, 153, . 62

Page

Reasons for Supporting the Hartford County Merchants' Memorial. State Archives: Trade and Maritime Affairs, I. 155, ... 64

Roger Wolcott to William Greene, May 15, 1751. Roger Wolcott Papers, I. 146, ... 67

Richard Partridge to Roger Wolcott (L. S.), May 17, 1751. Massachusetts Historical Society: Trumbull Papers, I. 33, 68

Roger Wolcott to Benjamin Avery (A. L.), May 24, 1751. Roger Wolcott Papers, I. 147, ... 69

Roger Wolcott to Richard Partridge (A. L. S.), May 25, 1751. Agents Letters, 43, ... 71

Roger Wolcott to Commissioners for Trade and Plantations, May 28, 1751. Massachusetts Historical Society: Trumbull Papers, I. 34, ... 74

Josiah Willard to Roger Wolcott (A. L. S.), June 8, 1751. State Archives: Colonial Boundaries, III. 113, . . . 76

Roger Wolcott to Josiah Willard (A. L. S.), June 17, 1751. State Archives: Colonial Boundaries, III. 114, . . . 76

Stephen Hopkins and Matthew Robinson to Phineas Lyman, June 28, 1751. State Archives: Colonial Boundaries, III. 116 77

William Greene to Roger Wolcott (A. L. S.), July 1, 1751. State Archives: Colonial Boundaries, III. 117, . . . 78

Josiah Willard to Roger Wolcott (A. L. S.), July 2, 1751. State Archives: Colonial Boundaries, III. 118, ... 79

Joseph Harrison and Matthew Robinson to Roger Wolcott (A. L. (of Robinson) S.), July 4, 1751. State Archives: Colonial Boundaries, III, 119, ... 79

Resolve of Rhode Island General Assembly, June 20, 1751. State Archives: Colonial Boundaries, III. 115, . . . 80

Thomas Hill to Colony of Connecticut (L. S.), July 9, 1751. Massachusetts Historical Society: Trumbull Papers, I. 35, 81

Richard Partridge to Roger Wolcott (L. S.), May 22–July 10, 1751. Agents Letters, 42, ... 82

Thomas Lane to Roger Wolcott (L. S.), July 10, 1751. Agents Letters, 45, ... 86

Richard Partridge to Roger Wolcott (L. S.), July 24, 1751. Agents Letters, 44, ... 87

Roger Wolcott to Joseph Harrison and Matthew Robinson (A. L. S.), July 25, 1751. State Archives: Colonial Boundaries, III. 120, ... 88

Richard Partridge to Roger Wolcott (L. S.), July 26, 1751. Agents Letters, 46, ... 89

George Clinton to Roger Wolcott (L. S.), July 29, 1751. Massachusetts Historical Society: Trumbull Papers, I. 36, . 90

Page

Thomas Lane to Roger Wolcott (L. S.), July 31, 1751. Agents Letters, 45, ... 91

Benjamin Avery to Roger Wolcott (A. L. S.), July 31, 1751. Massachusetts Historical Society: Trumbull Papers, I. 65, 91

Roger Wolcott to George Clinton (A. L. S.), Aug. 6, 1751. Massachusetts Historical Society: Trumbull Papers, I. 37, 94

Richard Partridge to Roger Wolcott (L. S.), Aug. 9, 1751. Agents Letters, 47, ... 95

Roger Wolcott to Richard Partridge (A. L. S.), Aug. 15, 1751. Agents Letters, 48, ... 96

Roger Wolcott to Peter Warren (A. L. S.), Aug. 15, 1751. Massachusetts Historical Society: Trumbull Papers, I. 38, 99

Earl of Holderness to Colony of Connecticut (L. S.), Aug. 26, 1751. Council Orders, 34, ... 100

Richard Partridge to Roger Wolcott (L. S. and in part A. L. S.), Aug. 30, 1751. Massachusetts Historical Society: Trumbull Papers, I. 39, ... 100

Report of Committee of the General Assembly (A. (of Trumble) L. S.), Sep. 6, 1751. State Archives: Finance and Currency, III. 425, ... 101

Benjamin Avery to Roger Wolcott (A. L. S.), Sep. 10, 1751. Massachusetts Historical Society: Trumbull Papers, I. 44, 102

Josiah Willard to Roger Wolcott (L. S.), Oct. 11, 1751. Roger Wolcott Papers, I. 148, ... 104

Action of Massachusetts General Court, Oct. 9, 1751. Massachusetts Historical Society: Trumbull Papers, I. 40, . . 105

Ebenezer Punderson to Roger Wolcott (A. L. S.), Oct. 12, 1751. Connecticut Historical Society, ... 108

Report of Committee of the General Assembly (A. (of Fitch) D. S.), Oct. 31, 1751. State Archives: War, X. 350, . . 109

Report of Committee of the General Assembly (D. S.), Oct. 31, 1751. State Archives: War, X, 351, ... 110

Richard Partridge to Roger Wolcott (L. S.), Oct. 10, 29, 1751. Massachusetts Historical Society: Trumbull Papers, I. 41, 112

Elihu Hall to Roger Wolcott (A. L. S.), Nov. 1, 1751. Roger Wolcott Papers, I. 149, ... 114

Roger Wolcott to Ebenezer Punderson (A. L. S.), Nov. 1, 1751. Roger Wolcott Papers, I. 149a, ... 116

Philip Cartaret Webb to Joshua Sharpe (A. L. S.), Nov. 9, 1751. New York Public Library: Chalmers Papers, III. 42, . 117

Philip Cartaret Webb to Joshua Sharpe (A. L. S.), Nov. 22, 1751. New York Public Library: Chalmers Papers, III. 43, 118

Ebenezer Punderson to Roger Wolcott (A. L. S.), Nov. 23, 1751. Connecticut Historical Society, ... 118

Page

Motion before the Privy Council, Nov. 26, 1751. New York Public Library: Chalmers Papers, III. 44, ... 120

Joseph Whipple to Roger Wolcott (L. S.), Nov. 30, 1751. Roger Wolcott Papers, I. 150, ... 121

Matthew Graves to Philip Bearcroft, Secretary of the Society for the Propagation of the Gospel, Dec. 17, 1751. Fulham Palace: Connecticut Letters, 17, ... 121

Jonathan Colton's Bond, (A. (of Matthew Graves) D.), Aug. 16, 1750. Fulham Palace: Connecticut Letters, 34, . . 123

Matthew Robinson to Roger Wolcott, Jr. (A. L. S.), Dec. 21, 1751. State Archives: Colonial Boundaries, III. 122, . 124

Matthew Robinson to Roger Wolcott (A. L. S.), Dec. 21, 1751. State Archives: Colonial Boundaries, III. 123, . . . 125

Matthew Graves to the Bishop of London (A. L. S.), Dec. 23, 1751. Fulham Palace: Connecticut Letters, 14, . . . 127

Jonathan Colton's Complaint, July 17, 1751. Fulham Palace: Connecticut Letters, 59, ... 129

Trial of John Bliss, July 17, 1751. Fulham Palace: Connecticut Letters, 33, ... 129

Roger Wolcott to Ebenezer Punderson (A. L. S.), Dec. 26, 1751. Massachusetts Historical Society: Trumbull Letters, I. 45, 130

Richard Partridge to Roger Wolcott (L. S., last part A. L. S.), Nov. 29 and Dec. 28, 1751. Agents Letters, 49, . . 132

Connecticut's Committee on the Massachusetts Boundary to Rhode Island's Committee, 1752. State Archives: Colonial Boundaries, III. 126, ... 135

Report of Committee of Council, Jan. 14, 1752. Public Record Office: Treasury, Class I, Bundle 348, folio 234, . . . 135

Order of the King in Council, Jan. 14, 1752. Public Record Office: Treasury, Class I, Bundle 348, folio 236, . . . 139

Samuel Mason's Petition. Public Record Office: Treasury Class I, Bundle 348, folio 244, ... 140

Roger Wolcott to Ebenezer Punderson (L. S.), Jan. 30, 1752. Roger Wolcott Papers, I. 150a, ... 145

Roger Wolcott to Matthew Graves (A. L. S.), Feb. 10, 1752. Roger Wolcott Papers, I. 151, ... 148

Roger Wolcott to William Greene (A. L. S.) Feb. 18, 1752. State Archives: Colonial Boundaries, III. 141, . . . 149

Commissioners for Trade and Plantations to Colony of Connecticut (L. S.), March 13, 1752. Council Orders, 37, . 150

Order in Council, March 11, 1752. Council Orders, 36, . . 151

Earl of Holderness to Roger Wolcott, March 30, 1752. Massachusetts Historical Society: Trumbull Papers, I. 46½, . 154

Earl of Holderness to Commissioners for Trade and Plantations, March 30, 1752. Massachusetts Historical Society: Trumbull Papers, I. 47, ... 155

Page

Royal Instructions to American Governors, 1752. Massachusetts Historical Society: Trumbull Papers, I. 51, . . 158
Richard Partridge to Roger Wolcott (L. S.), April 11, 1752. Agents Letters, 50, ... 158
Martin Kellogg to Roger Wolcott (A. L. S.), April 14, 1752. Roger Wolcott Papers, I. 153, ... 159
Thomas Hill to Colony of Connecticut (L. S.), April 15, 1752. Council Orders, 38, ... 161
Connecticut and Rhode Island Committees Report on Boundary Line with Massachusetts (D. S.), April 4, 1752. State Archives: Colonial Boundaries, III, 124, ... 162
Richard Partridge to Roger Wolcott (L. S.), May 21, 1752. Roger Wolcott Papers, I. 152, ... 167
Report of Committee of the General Assembly (D. S.), May 27, 1752. State Archives: War, X. 354, ... 167
Roger Wolcott to Earl of Holderness, May 30, 1752. Library of Congress: Copy from original in England, . . . 169
Richard Partridge to Roger Wolcott (L. S.), June 2, 1752. Agents Letters, 51, ... 170
Roger Wolcott to Richard Partridge (A. L. S.), June 10, 1752. Agents Letters, 52, ... 170
Roger Wolcott to Richard Partridge (A. L. S.), June 10, 1752. Roger Wolcott Papers, I. 154, ... 172
Roger Wolcott's Considerations about the Massachusetts Line (A. D.). State Archives: Colonial Boundaries, III. 112, . 176
Roger Wolcott to Benjamin Avery, June 10, 1752. Roger Wolcott Papers, I. 155, ... 179
Roger Wolcott to Josiah Willard (A. L. S.), June 10, 1752. Massachusetts Archives, IV. 43, ... 180
Richard Partridge to Roger Wolcott (L. S.), June 24, 1752. Agents Letters, 53, ... 181
Roger Wolcott to Commissioners for Trade and Plantations (A. L. S.), June 30, 1752. Roger Wolcott Papers, I. 156, . 182
Litchfield County Consociation Meeting, July 7, 1752. Roger Wolcott Papers, I, 157, ... 183
Matthew Tallcott's Letter (A. L. S.), Aug. 4, 1752. Roger Wolcott Papers, I. 158, ... 187
Benjamin Avery to Roger Wolcott (A. L. S.), Sep. 22, 1752. Massachusetts Historical Society: Trumbull Papers, I. 56, 187
Anthony Wells to Roger Wolcott (A. L. S.), Sep. 30, 1752. Massachusetts Historical Society: Trumbull Papers, I. 58, 189
Benjamin Avery to Roger Wolcott (A. L. S.), Oct. 16, 1752. Massachusetts Historical Society: Trumbull Papers, I. 28, 190
List of Bills of Exchange. Massachusetts Historical Society: Trumbull Papers, I. 61, ... 191

Page

Beelgood Bulfinch's Bill (A. D. S.), Nov. 1752. Roger Wolcott Papers, I. 159, ... 195
Richard Partridge to Roger Wolcott (L. S.). Nov. 23, 1752. Massachusetts Historical Society: Trumbull Papers, I. 57, 195
Gurdon Saltonstall to Roger Wolcott (A. L. S.), Nov. 26, 1752. Roger Wolcott Papers, II. 7, ... 198
Merchandise Received by Gurdon Saltonstall (A. D. S.), Nov. 26, 1752. Roger Wolcott Papers, II. 8, ... 199
Lewis Morris to Roger Wolcott (A. L. S.), Dec. 9, 1752. Roger Wolcott Papers, II. 9, ... 200
Joseph Hull to the Governor and Council (A. D. S.), Dec. 11, 1752. Roger Wolcott Papers, II. 10, ... 200
Examination of Don Christoval de Urannaga (D. S.), Dec. 12, 1752. Roger Wolcott Papers, II. 11, ... 201
Deposition of John Simpson (D. S.), Dec. 12, 1752. Roger Wolcott Papers, II, 12, ... 203
Deposition of Daniel Vosper (D. S.), Dec. 12, 1752. Roger Wolcott Papers, II. 12, ... 205
Examination of Manuel de Dueno, Dec. 13, 1752. Roger Wolcott Papers, II. 13, ... 206
Roger Wolcott's Proceedings about the Spanish Vessel (D. S.), Nov., Dec. 1752. Roger Wolcott Papers, II. 6, . . . 208
Andrew McKenzie to Roger Wolcott (A. L. S.), Dec. 15, 1752. Roger Wolcott Papers, II. 14, ... 211
Bill in Case of Spanish Boat (A. (of Gurdon Saltonstall) D.), Dec. 15, 1752. Roger Wolcott Papers, II. 15, ... 212
Joseph Miguel de San Juan to Roger Wolcott (A. L. S.), Dec. 15, 1752. Roger Wolcott Papers, II. 16, ... 213
Jeremiah Miller's Bond (A. D. S.), Dec. 16, 1752. Roger Wolcott Papers, II. 17, ... 214
Roger Wolcott to Joseph Hull, Dec. 16, 1752. Roger Wolcott Papers, II. 18, ... 214
Joseph Miguel de San Juan to Roger Wolcott (A. L. S.), Dec. 18, 1752. Roger Wolcott Papers, II. 20, ... 215
Roger Wolcott to Gurdon Saltonstall (A. L. S.), Dec. 18, 1752. Roger Wolcott Papers, II. 22, ... 216
Roger Wolcott to Joseph Hull (A. L. S.), Dec. 18, 1752. Roger Wolcott Papers, II. 22, ... 216
Roger Wolcott to the Commissioners for Trade and Plantations (L. S.), Dec. 20, 1752. Roger Wolcott Papers, I, 160. 217
Roger Wolcott to Benjamin Avery (L. S.), Dec. 20, 1752. Massachusetts Historical Society: Trumbull Papers, I, 59, 218
Roger Wolcott to Richard Partridge (L. S.), Dec. 20, 1752. Massachusetts Historical Society: Trumbull Papers, I. 60, 220

Page

Gurdon Saltonstall to Roger Wolcott (A. L. S.), Dec. 24, 1752. Roger Wolcott Papers, II. 23, ... 222

Gurdon Saltonstall to Roger Wolcott (A. L. S.), Dec. 28, 1752. Roger Wolcott Papers, II, 24, ... 224

Joseph Hull to Roger Wolcott (L. S.), Dec. 29, 1752. Roger Wolcott Papers, II. 25, ... 225

Lewis Morris to Roger Wolcott (L. S.), Dec. 30, 1752. Roger Wolcott Papers, II. 26, ... 226

John Bulkeley to Roger Wolcott (A. L. S.), Dec. 31, 1752. Roger Wolcott Papers, II. 27, ... 227

Roger Wolcott to Lewis Morris (L. S.), Jan. 1, 1753. Roger Wolcott Papers, II. 28, ... 228

Roger Wolcott to the Sheriff of New London County (D. S.), Jan. 1, 1753. Roger Wolcott Papers, II. 29, . . . 229

Joseph Miguel de San Juan's Power of Attorney Jan. 1, 1753. State Archives: Trade and Maritime Affairs, II. 1, 229

Richard Partridge to Roger Wolcott (L. S.), Jan. 11, 1753. Massachusetts Historical Society: Trumbull Papers, I, 62, 230

Benning Wentworth to Roger Wolcott (L. S.), Jan. 17, 1753. Massachusetts Historical Society: Trumbull Papers, I, 63, 231

Daniel Blake's Commission (A. (of Gov. Wolcott) D.), Jan. 17, 1753. Massachusetts Historical Society: Trumbull Papers, I. 64, ... 232

Gurdon Saltonstall to Roger Wolcott (A. L. S.), Jan. 27, 1753. Roger Wolcott Papers, II. 32, ... 233

Stephen Hopkins to Roger Wolcott (A. L. S.), Jan. 31, 1753. Connecticut Historical Society, ... 234

Roger Wolcott to Benning Wentworth (A. L. S.), Feb. 5, 1753. Roger Wolcott Papers, I. 163, ... 235

Roger Wolcott to Stephen Hopkins (A. L. S.), Feb. 5, 1753. Roger Wolcott Papers, I. 164, ... 236

Roger Wolcott to Benjamin Avery (A. (of Thomas Fitch) L. S.), Feb. 7, 1753. Massachusetts Historical Society: Trumbull Papers, I. 74, ... 237

Roger Wolcott to Richard Partridge (A. (of Thomas Fitch) L. S.), Feb. 7, 1753. Roger Wolcott Papers, II. 165, . . 238

George Clinton to Roger Wolcott (L. S.), Feb. 17, 1753. Roger Wolcott Papers, II. 33, ... 240

Rogue and Antonio Aguado to Andrew McKenzie, Feb. 17, 1753. Roger Wolcott Papers, II. 45, ... 241

Thomas Hill to Colony of Connecticut (L. S.), Feb. 20, 1753. Council Orders, 39, ... 243

Richard Partridge to Roger Wolcott (L. S.), Feb. 20, 1753. Agents Letters, 54, ... 243

Page

Richard Partridge to Elizabeth Newberry (L. S.), Feb. 22, 1753. Agents Letters, 54. 244

Joseph Hull to Roger Wolcott (A. (of Gurdon Saltonstall) L. S.), Feb. 26, 1753. Roger Wolcott Papers, II. 34, . . . 244

Gurdon Saltonstall to Roger Wolcott (A. L. S.), Feb. 26, 1753. Roger Wolcott Papers, II. 35, ... 245

Richard Partridge to Claude Amyand (A. D.), 1753. Roger Wolcott Papers, II. 36, ... 248

Rogue and Antonio Aguado to Andrew McKenzie, March 3, 1753. Roger Wolcott Papers, II. 44, ... 249

Joseph Miguel de San Juan to George Clinton (A. (of Gov. Wolcott) L.), March 21, 1753. Roger Wolcott Papers, II. 37, 251

Richard Partridge to Roger Wolcott (L. & D. S.), March 26, 1753. Agents Letters, 55, ... 251

Gurdon Saltonstall to Roger Wolcott (A. L. S.), March 30, 1753. Roger Wolcott Papers, II. 38, ... 253

Roger Wolcott to Gurdon Saltonstall (A. L. S.), March 31, 1753. Roger Wolcott Papers, I. 167, ... 256

Joseph Miguel de San Juan to Roger Wolcott (L. S.), March 31, 1753. Roger Wolcott Papers, II, 39, ... 257

Gurdon Saltonstall to Roger Wolcott (A. L. S.), April 7, 1753. Roger Wolcott Papers, I. 168, ... 258

Richard Partridge to Roger Wolcott (L. S.), April 10, 1753. Agents Letters, 56, ... 259

Richard Partridge to Roger Wolcott (L. S., last part A. L. S.), April 14, 18, 1753. Agents Letters, 57, ... 260

Benjamin Avery to Roger Wolcott (A. L. S.), April 14, 1753. Massachusetts Historical Society: Trumbull Papers, I. 75, 262

Richard Partridge to Roger Wolcott (L. S.), April 21, 1753. Agents Letters, 58, ... 264

Roger Wolcott to Joseph Hull, April 23, 1753. Roger Wolcott Papers, II. 41, ... 264

Gurdon Saltonstall to Roger Wolcott (A. L. S.), April 27, 1753. Roger Wolcott Papers, II. 42, ... 265

Joseph Hull to Roger Wolcott (A. (of Gurdon Saltonstall) L. S.), April 27, 1753. Roger Wolcott Papers, II. 43, . . . 266

Roger Wolcott to Gurdon Saltonstall (A. L. S.), April 28, 1753. Roger Wolcott Papers, II. 40, ... 270

Roger Wolcott to Gurdon Saltonstall (A. L.), April 28, 1753. Massachusetts Historical Society: Trumbull Papers, I. 66, 271

Roger Wolcott to Joseph Hull (A. L.), April 28, 1753. Massachusetts Historical Society: Trumbull Papers, I. 66½, . 273

Andrew Oliver to Roger Wolcott (A. L. S.), May 28, 1753. Roger Wolcott Papers, I. 169, ... 274

Page

Andrew McKenzie to Joseph Miguel de San Juan, June 7, 1753. Roger Wolcott Papers, II. 46, ... 275
Joseph Miguel de San Juan's Declaration and Protestation (D. S.), June 7, 1753. Roger Wolcott Papers, II. 47, . . 276
Reasons in Behalf of the Colony of Connecticut. Agents Letters, 61, ... 302
Richard Partridge to Roger Wolcott (L. S.), June 9, 1753. Agents Letters, 59, ... 303
Joseph Cowley to Roger Wolcott (A. L. S.), June 19, 1753. Roger Wolcott Papers, II. 48, ... 304
Roger Wolcott to Andrew McKenzie (A. L. S.), June 20, 1753. Roger Wolcott Papers, II. 51, ... 305
Roger Wolcott to Joseph Hull (A. L. S.), June 20, 1753. Roger Wolcott Papers, II. 50, ... 305
Roger Wolcott to Joseph Miguel de San Juan (L. S.), June 21, 1753. Roger Wolcott Papers, II. 52, ... 307
Benning Wentworth to Roger Wolcott (L. S.), June 25, 1753. Massachusetts Historical Society: Trumbull Papers, I. 67, 309
Daniel Blake's Instructions, June 26, 1753. Massachusetts Historical Society: Trumbull Papers, I. 68, . . . 310
Earl of Holderness to Colony of Connecticut (L. S.), June 28, 1753. Council Orders, 40, ... 311
Joseph Hull to Roger Wolcott (A. L. S.), July 2, 1753. Roger Wolcott Papers, II. 53, ... 311
Roger Wolcott to Andrew McKenzie, July 4, 1753. Roger Wolcott Papers, II. 54, ... 312
Proclamation by Roger Wolcott (A. D.), July 6, 1753. Massachusetts Historical Society: Trumbull Papers, I. 69, . . 313
Roger Wolcott to Benjamin Avery (A. L. S.), July 29, 1753. Massachusetts Historical Society: Trumbull Papers, I. 71, 313
Peter Bours to Roger Wolcott (A. L. S.), July 30, 1753. Roger Wolcott Papers, I. 171, ... 314
Roger Wolcott to Benjamin Avery (A. L. S.), July 30, 1753. Roger Wolcott Papers, I. 172, ... 316
Roger Wolcott to Richard Partridge (A. L. S.), July 30, 1753. Roger Wolcott Papers, II. 55, ... 318
Roger Wolcott to Richard Partridge (A. L. S.), July 30, 1753. Roger Wolcott Papers, I. 170, ... 323
Case of the Massachusetts–Connecticut Boundary Line (A. (of Gov. Wolcott) D.), State Archives: Colonial Boundaries. III. 144, ... 324
Case of the Massachusetts–Connecticut Boundary Line. State Archives: Colonial Boundaries, III. 143, ... 334
William Bollan's Petition. British Museum: Additional Manuscripts, 15487, ... 343

Page

Joseph Hull to Roger Wolcott (A. L. S.,) Aug. 20, 1753. Roger Wolcott Papers, II. 58, ... 361

Joseph Miguel de San Juan to Roger Wolcott (A. L. S.), Aug. 20, 1753. Roger Wolcott Papers, II. 57, ... 362

Roger Wolcott's Certification (A. D. S.), Aug. 22, 1753. Roger Wolcott Papers, II. 61, ... 364

Roger Wolcott to Joseph Miguel de San Juan (A. L. S.), Aug. 22, 1753. State Archives: Trade and Maritime Affairs, II. 2, 364

Richard Partridge to Roger Wolcott (L. S.), Aug. 25, 1753. Agents Letters, 62, ... 36

Richard Partridge to Roger Wolcott (A L. S.), Aug. 25, 1753, Agents Letters, 63, ... 365

Andrew McKenzie to Roger Wolcott (A. L. S.), Aug. 29, 1753. Roger Wolcott Papers, II. 59, ... 366

Henry Lane to Roger Wolcott (A. L. S.), Aug. 29, 1753. Roger Wolcott Papers, II. 60, ... 367

Roger Wolcott to Joseph Hull (L. S.), Aug. 30, 1753. Roger Wolcott Papers, II. 62, ... 368

Joseph Miguel de San Juan to Roger Wolcott (A. L. S.), Aug. 30, 1753. Roger Wolcott Papers, II. 63, ... 368

Roger Wolcott's Advertisement (A. D. S.), Aug. 30, 1753. Roger Wolcott Papers, II. 64, ... 370

Henry Lane to Roger Wolcott (A. L. S.), Sep. 1, 1753. Roger Wolcott Papers, II. 65, ... 370

Matthew Graves to Roger Wolcott (A. L. S.), Sep. 4, 1753. Roger Wolcott Papers, II. 66, ... 373

Roger Wolcott to Joseph Miguel de San Juan (A. L. S.), Sep. 6, 1753. Roger Wolcott Papers, II. 68, ... 373

Roger Wolcott to Joseph Miguel de San Juan (A. L. S.), Sep. 6, 1753. Roger Wolcott Papers, II. 69, ... 374

William Shirley to Roger Wolcott (L. S.), Sep. 22, 1753. Roger Wolcott Papers, I. 173, ... 74

Jonathan Belcher to Roger Wolcott (L. S.), Sep. 27, 1753. Roger Wolcott Papers, I. 174, ... 375

Jonathan Belcher to Elisha Williams (L. S.), Sep. 29, 1753. Agents Letters, 64, ... 376

George Clinton to Roger Wolcott (L. S.), Oct. 2, 1753. Roger Wolcott Papers, II. 71, ... 377

Daniel Blake's Petition (D. S.), Oct. 8, 1753. Roger Wolcott Papers, I. 175, ... 378

John Chandler to Josiah Willard (A. L. S.), Oct. 10, 1753. Massachusetts Archives: LIV. 258, ... 380

Joseph Miguel de San Juan's Petition to the General Assembly (D. S.), Oct. 16, 1753. State Archives: Trade and Maritime Affairs, II. 3, ... 381

Page

Richard Partridge to Roger Wolcott (L. S.), Oct. 19, 1753. Roger Wolcott Papers, I. 176, ... 389
Matthew Graves to Roger Wolcott (A. L. S.), Oct. 22, 1753. Roger Wolcott Papers, I. 177, ... 391
Andrew Oliver to Roger Wolcott (A. L. S.), Oct. 22, 1753. Roger Wolcott Papers, I, 178, ... 394
Roger Wolcott to William Shirley (A. L. S.), Oct. 22, 1753. Massachusetts Archives: IV, 47, ... 394
Questions asked Joseph Miguel de San Juan by the General Assembly, Oct. 26, 1753. State Archives: Trade and Maritime Affairs, II. 10, ... 395
Richard Partridge to Roger Wolcott (L. S.), Nov. 1, 1753. Agents Letters, 65, ... 397
Phineas Lyman and Others to Roger Wolcott (A. (of Daniel Edwards) L. S.), Nov. 6, 1753. Roger Wolcott Papers, II. 72, ... 398
James DeLancey to Roger Wolcott (A. L. S.), Nov. 12, 1753. Massachusetts Historical Society: Trumbull Papers, I. 72, 399
Roger Wolcott to the Commissioners for Trade and Plantations, Nov. 15, 1753. Roger Wolcott Papers, I. 179, . . 400
Gideon Wanton to Roger Wolcott (A. L. S.), Nov. 25, 1753. Roger Wolcott Papers, I. 180, ... 401
Roger Wolcott to James DeLancey (A. L. S.), Nov. 27, 1753. Massachusetts Historical Society: Trumbull Papers, I. 73, 401
Gurdon Saltonstall to Roger Wolcott (A. L. S.), Dec. 13, 1753. Roger Wolcott Papers, II. 74, ... 402
Roger Wolcott to Thomas Fitch (A. L. S.), Dec. 22, 1753. State Archives: Trade and Maritime Affairs, II. 13, . . . 403
Roger Wolcott to Joseph Miguel de San Juan (L. S.), Dec. 22, 1753. Roger Wolcott Papers, II. 75, ... 405
Thomas Fitch to Roger Wolcott (A. L. S.), Dec. 23, 1753. Roger Wolcott Papers, II. 76, ... 406
Joseph Miguel de San Juan to Roger Wolcott (A. L. S.), Dec. 31, 1753. State Archives: Trade and Maritime Affairs, II. 14, ... 407
Arnold Turner's Bill, 1753. Roger Wolcott Papers, II. 30, . 410
Daniel Packer's Bill, 1753. Roger Wolcott Papers, II. 31, . 410
Roger Wolcott to Joseph Miguel de San Juan (A. L. S.), Jan. 4, 1754. Roger Wolcott Papers, II. 77, ... 411
William Shirley to Roger Wolcott (A. L. S.), Jan. 8, 1754. Roger Wolcott Papers, I. 181, ... 413
Roger Wolcott to the Civil Authority in New London, Jan. 8, 1754. Roger Wolcott Papers, II. 78, ... 413
Roger Wolcott's State of the Spanish Case. Roger Wolcott Papers, II. 79, ... 415

Page

Roger Wolcott to Richard Partridge (A. L. S.), Jan. 10, 1754. Agents Letters, 66, ... 419

Roger Wolcott to Richard Partridge (A. L.), Jan. 10, 1754. Massachusetts Historical Society: Trumbull Papers, I. 76, 420

Elisha Williams to Roger Wolcott (A. L. S.), Jan. 15, 1754. Roger Wolcott Papers, I. 162, ... 421

Roger Wolcott to William Shirley (A. L. S.), Jan. 16, 1754. Roger Wolcott Papers, I. 182, ... 421

Gurdon Saltonstall to Roger Wolcott (A. L. S.), Jan, 18, 1754. Roger Wolcott Papers, II. 80, ... 422

Roger Wolcott to Daniel Coit (A. L. S.), Jan. 21, 1754. State Archives: Trade and Maritime Affairs, II. 15, . . . 423

Richard Partridge to Roger Wolcott (L. S.), Jan. 30, 1754. Massachusetts Historical Society: Trumbull Papers, I. 77, 426

Roger Wolcott's Opinion about Settlements on Susquehannah River, Jan. 1754. Massachusetts Historical Society: Trumbull Papers, I. 78, ... 428

John Chandler to Josiah Willard (A. L. S.), Feb. 1, 1754. Massachusetts Archives: LIV. 273, ... 429

John Chandler to Josiah Willard (A. L. S.), Feb. 4, 1754. Massachusetts Archives: LIV. 276, ... 431

Eleazer Wheelock to Jonathan Trumble (A. L. S.), Feb. 5, 1754. Connecticut Historical Society, ... 431

Roger Wolcott's Declaration (D. S.), Feb. 8, 1754. Roger Wolcott Papers, I, 184, ... 432

Roger Wolcott to William Shirley (A. L. S.), March 2, 1754. Connecticut Historical Society, ... 434

Roger Wolcott to James Hamilton (A. L. S.), March 13, 1754. Roger Wolcott, Boston, Mass., ... 435

James DeLancey to Roger Wolcott (A. L. S.), March 19, 1754. Massachusetts Historical Society: Trumbull papers. I. 79, 437

Roger Wolcott to James DeLancey (A. L. S.), April 5, 1754. Massachusetts Historical Society: Trumbull Papers, I. 79, 438

French Protest against English Settlement in the Ohio Valley, April 16, 1754. Massachusetts Historical Society: Trumbull Papers, I. 81, ... 439

James DeLancey to Roger Wolcott (L. S.), April 22, 1754. Massachusetts Historical Society: Trumbull Papers, I, 84, 441

Resolution of New York General Assembly, April 17, 1754. Massachusetts Historical Society: Trumbull Papers, I, 83, 442

Richard Partridge to Roger Wolcott (L. S., last part A. L. S.), March 27, May 4, 1754. Roger Wolcott Papers, I. 183, . 443

Jonathan Law's Address to the General Assembly. Ernest Law, ... 449

Page

Jonathan Law's Speech to the General Assembly (A. D.), Oct. 1728. Ernest Law, ... 450
Jonathan Law's Speech to the House of Representatives (A. D. S.). Ernest Law, ... 453
Thomas Noyes to Jonathan Law (A. L. S.), Nov. 2, 1739. Ernest Law, ... 454
Jonathan Law to Thomas Noyes, Nov. 26, 1739. Ernest Law, 455
Jonathan Law's Speech to the General Assembly (A. D.), May 1742. Ernest Law, ... 455
Roger Wolcott to Edward Hutchinson (A. L. S.), May 16, 18, 1743. Roger Wolcott, Boston, Mass., ... 459
Jonathan Law's Speech to the General Assembly (A. D.), Oct. 1746. Ernest Law, ... 460
Jonathan Law's Speech to the General Assembly (A. D.), May 1747. Ernest Law, ... 463
Jonathan Law's Speech to the General Assembly (A. D. S.), Oct. 1747. Ernest Law, ... 466
Jonathan Law to William Shirley (A. L. S.), Nov. 21, 1747. Ernest Law, ... 468
Roger Wolcott to Josiah Willard (A. L. S.), Dec. 19, 1747. Massachusetts Archives: IV. 26, ... 471
Jonathan Law's Speech to the General Assembly (A. D.), May 1748. Ernest Law, ... 471
Spencer Phips to Roger Wolcott (L. S.), July 18, 1748. Massachusetts Archives: IV. 30, ... 475
Israel Williams to Roger Wolcott, Aug. 20, 1748. Massachusetts Archives: LIII. 393, ... 476
Josiah Willard to Roger Wolcott (A. L.), Aug. 27, 1748. Massachusetts Archives: LIII. 400, ... 478
Jonathan Law's Speech to the General Assembly, Oct. 1748. Ernest Law, ... 478
List of Connecticut Vessels. Agents Letters, 72, ... 481
Questions for Attorneys Concerning Boundary. State Archives: Colonial Boundaries, III. 81, ... 483
New York Attorneys' Opinion (D. S.), April 13, 1749. State Archives: Colonial Boundaries, III. 82, ... 488
Jonathan Law's Speech to the General Assembly (D. S.), May 1749. Ernest Law, ... 490
Marquis de la Ensenada to the Governor and Officials of Maracaybo, May 21, 1749. Roger Wolcott Papers, II. 1, . . . 492
List of Spanish Governments in America. Roger Wolcott Papers, II. 3, ... 495
Jonathan Law to William Shirley (A. L. S.), June 13, 1749. State Archives: Colonial Boundaries, III. 84, ... 496

Page

William Shirley to Jonathan Law (A. L. S.), June 21, 1749. State Archives: Colonial Boundaries, III. 85, . . . 496
Massachusetts General Court to Connecticut General Assembly (D. S.), June 28, 1749. State Archives: Colonial Boundaries, III. 86, ... 497
Jonathan Law to Roger Wolcott (A. L. S.), July 15, 1749. State Archives: Colonial Boundaries, III. 87, . . . 499
Phineas Lyman to Jonathan Law (A. L. S.), July 17, 1749. State Archives: Colonial Boundaries, III. 89, . . . 500
Jonathan Law to Eliakim Palmer (A. L. S.), July 24, 1749. State Archives: Colonial Boundaries, III. 88, . . . 501
Jonathan Law to Thomas Fitch (A. (in part) L. S.), July 28, 1749. State Archives: Colonial Boundaries, III. 90, . . 503
Josiah Willard to Jonathan Law (L. S.), Aug. 7, 1749. State Archives: Colonial Boundaries, III. 91, ... 505
Jonathan Law to Josiah Willard (A. L. S.), Sept. 5, 1749. State Archives: Colonial Boundaries, III. 92, ... 506
Report of Committee of the General Assembly (D. S.), Oct. 1749. State Archives: Colonial Boundaries, III. 94, . . 507
Josiah Willard to George Wyllys (L. S.), Jan. 3, 1749/50. State Archives: Colonial Boundaries, III. 96, ... 511
Jonathan Law to Josiah Willard (A. (in part) L. S.), Jan. 26, 1749/50. Massachusetts Archives: IV. 35, ... 512
Josiah Willard to Jonathan Law (L. S.), Feb. 13, 1749/50. State Archives: Colonial Boundaries, III. 99, . . . 513
Vote of Massachusetts General Court, Jan. 9, 1749/50. State Archives: Colonial Boundaries, III. 97, ... 514
Jonathan Law to Josiah Willard (A. L. S.), March 8, 1749/50. State Archives: Colonial Boundaries, III. 100, . . 515
William Greene to Colony of Connecticut (L. S.), May 5, 1750. State Archives: Colonial Boundaries, III. 101, . . . 515
Richard Partridge's Appointment, May 1750. Public Record Office: Colonial Office, Class 324, LX. 381, ... 516
Richard Partridge's Letter of Agency, May 30, 1750. Public Record Office: Colonial Office, Class 324, LX. 382, . . 517
Matthew Graves to the Bishop of London (A. L. S.), July 20, 1750. Fulham Palace: Connecticut Letters, 44, . . 517
James Brown to Jonathan Law (A. L. S.), July 30, 1750. State Archives: Colonial Boundaries, III. 104, ... 520
Jonathan Law's Speech to the General Assembly (A. D.), Oct. 1750. Ernest Law, ... 521
Certificate about Money Carried away from Spaniards, Nov. 2, 1750. Roger Wolcott Papers, II. 4, ... 523
Index, ... 525

INTRODUCTION.

The Society here presents the correspondence and documents, chiefly of an official nature, which are included within the period of November 6, 1750, when Governor Jonathan Law died, and May 9, 1754, when Thomas Fitch became governor of the Colony. During the period between these dates the Honorable Roger Wolcott of Windsor was governor of Connecticut, the thirteenth person to be elected to that office. An appendix to the volume contains documents of an earlier date, during the period of Jonathan Law's governorship.

The contents of this volume may be considered as a continuation of the series of letters and documents comprised in five previous volumes of the Society's "Collections"; those of the period of Governor Joseph Talcott, 1724-1741, in volumes IV and V, and those of Governor Jonathan Law, 1741-1750, in volumes XI, XIII and XV.

The originals of a majority of the letters and documents here printed are among the Roger Wolcott Papers, volumes I and II, which with many other early Wolcott family papers were principally collected and presented to this Society by Sydney Stanley of Tolland, Conn., a member from 1842 until his death in 1878. Others from the Society's archives are taken from the volumes of Agents Letters and Council Orders, the documents in which are presumed to be a portion of the gift received in December 1840, from the heirs of Governor Jonathan Trumbull, Sr., of Lebanon; and a few are miscellaneous letters not identified with any series or collection. A number of letters and documents are from the Trumbull Papers preserved in the Massachusetts Historical Society, which have been courteously placed at our service by that Society; and a number are from sundry series of the State Archives preserved in the Connecticut

State Library. A lesser number of documents are from the Massachusetts State Archives, the New York Public Library and the Library of Congress (English copies); while a few have been obtained from the Public Record Office, the British Museum and Fulham Palace in London, England. Mr. Roger Wolcott of Boston, Mass., has contributed two letters from his private collection, and Mr. Ernest Law of Philadelphia, Pa., has generously loaned to the Society a large volume of Law family papers from which a number of documents printed in the appendix were copied.

To each and all of these individuals, societies and libraries, and to their officials and custodians, an appreciation of their kindness is expressed and the Society's hearty thanks are returned. Particular acknowledgment is made of special courtesies received in the procuring of copies of manuscripts from the Connecticut State Library and the Massachusetts Historical Society. Acknowledgment is also made to Mr. Forrest Morgan, M. A., a member of the Publication Committee, for his ready and constant aid, and for his translation of the Spanish letters with their difficult syntax, bygone vocabulary and curious colloquialisms.

ALBERT C. BATES,
Chairman of the Publication Committee and Editor of this Volume.

The Society's Library, Dec. 9, 1916.

SKETCH OF ROGER WOLCOTT.

The form of government of Connecticut was that of a democracy; the people, or rather those of the people who had been made freemen, electing the officials who governed the colony: but in reality the government of the colony was controlled by a comparatively small aristocracy. Such male inhabitants of a town as were certified by the selectmen to be of the age of twenty-one years or upwards, to have a freehold estate of the value of forty shillings per annum or personal estate of the value of forty pounds, and to be of a suitable personal character, were eligible for admission as freemen of the corporation — for such the government really was while the charter was in force — or later of the state. The proportion of the male inhabitants of voting age who actually were freemen, and who alone could vote for colony officers, was far less than a majority of the whole, and by one writer has been placed at as small a proportion as one eighth. Among the freemen themselves the higher offices were closely held to a large degree by a small coterie of prominent families and individuals, who may be considered as the true aristocracy of the colony. Not infrequently two, three, and sometimes more years would pass without a single change in the personnel of the Upper House or in the governor, deputy governor, secretary or treasurer. In the century following the Andros interregnum, 1689-1788, there were but eleven persons elected to the governorship, thirteen to the deputy governorship, and ninety-seven to the Upper House or House of Assistants, which was composed of twelve members. The same man was often re-elected for a long series of years to the Lower House. This small aristocracy was for the most part made up of descendants of families of the earliest settlers who were men of prominence, education

and ability, many of them were persons of wealth, and frequently they were members of armigerous families.

From such an origin as this was Roger Wolcott, the thirteenth governor of Connecticut, sprung. His grandfather, Henry Wolcott, who came to this country in 1630, was the son of a manor holder of Somersetshire, England, and himself became the owner of the manor a few years later, and was a man of wealth and official position in the colony. His youngest son Simon, the father of Roger, was a person of standing in the community, a deputy to the General Assembly, and one of the earliest settlers in Simsbury. He gave up his residence in that town after it was destroyed by the Indians, and established himself in the new settlement on the east side of the Connecticut River in Windsor. In the Windsor tax list of 1686 there were only seven persons, two of them his brothers, who were rated for larger amounts than was Simon; and he was one of six, one of them his brother, to whom the title "Mr." is prefixed in the same list. Yet at his death in 1687 his estate was found to be much involved, and his family, a widow and eight children, were left with little to support them. His second wife and the mother of his children was Martha Pitkin, sister of William Pitkin, one of the prominent men of the colony. She was talented and educated, and upon her arrival from England in 1661 was much sought after by the young men of the colony. Simon won her hand and they were married the same year. The youngest of their nine children and the subject of this sketch was Roger, born January 4, 1679.

Roger himself tells us that he never went to school a day in his life, and that as a boy he was extremely dull to learn. He was taught by his mother in her own dwelling. Apparently he did not learn to read or write until he was eleven years of age. Yet as he grew up he overcame these early deficiencies, and by his own effort and merit, aided perhaps by the high standing of his family, he attained the highest legislative, judicial and executive offices in the colony, as well as a financial competence.

He records as his "first step to preferment" his being chosen a selectman of the town of Windsor in 1707. This was the beginning of a long and honorable public career. Two years later, in May 1709, he was admitted to practice at the bar. In October of the same year he was chosen a deputy or representative to the General Assembly, and was re-elected semi-annually, with the exception of May 1712, until May 1714, when he was elected both a deputy and an Assistant. Six times during his service as deputy he was a member of the committee chosen to count the votes returned for the higher officials of the colony. And three times during the early years of his public career he was chosen one of the colony's auditors. During the sessions of October 1710 and May 1711 he served as clerk of the Lower House. In 1710, 1711, 1719 and again in 1755 he was chosen a Justice of the Peace.

In June 1711 he was chosen commissary of the Connecticut troops in the expedition sent against Canada that year; and later by direction of the Assembly he drew up and laid before the Governor and Council the muster rolls of the companies serving in that expedition, and for the time being sat as a member of the Council.

He was one of the three Assistants who with the secretary were chosen in 1714 to "revise" the laws of the colony, which were printed the following year. This issue was, however, a compilation rather than a revision. He was again honored in this capacity by being chosen to first place on the committee which prepared the revision issued in 1750, the first actual revision for almost half a century.

After his service as commissary his military career was continued by his election as captain of one of the militia companies of Windsor, in October 1722. The following August he was named as captain of one of the three companies ordered by the Governor and Council to be kept in constant readiness for protection against the Indians. And the next year he was named by the Assembly as sergeant major of the Hartford County regiment of militia. In 1739 he was made colonel of the first regiment of militia; and

six years later, in 1745, he went into the arduous campaign against Cape Breton, which resulted in the capture of Louisburg, as Major-General and second in command of the whole expedition. The journal which he kept while on this expedition has already been printed by this Society.*

The committees of the General Assembly of which he was a member were numerous, varied, and some of them at least of considerable importance. They included that on Glastonbury town line, to fix location for church in Lebanon, to settle controversy in Guilford ecclesiastical society, to settle ministerial charges in Simsbury and to fix location for church there, to lay out land for a minister in New London north society, to make a rate for Willington society, to settle Milford bounds, to settle title to Lebanon land and grant a patent for it, to divide Hebron ecclesiastical society, and about Norwich second society. Further committees about land matters of which he was a member were to take up, lay out and make sale of the equivalent lands received from Massachusetts, to report on laying out towns in the "western lands" of the colony, to call a meeting of the proprietors of those lands, to sell a township within them, to sell and deed land in Norfolk, to consider forfeiture of Litchfield land, to consider Samuel Mason's memorial about Indian land, and to settle controversy about Indian lands in Groton.

On ten occasions he with others was chosen to hear the records read by the secretary after the adjournment of the Assembly. Three times he was on the committee to thank the preacher of the annual election sermon and to ask a copy for printing. He was a member of the committees to receive and burn the colony's redeemed bills of credit, to force a settlement with the heirs of former treasurer Joseph Whiting, to report on money due the colony from various persons, to thank Gov. Jonathan Belcher of Massachusetts for his services for the colony and to congratulate him on his return from England. In matters concerning warfare, he was a member of the committee in 1722 to consider the

* COLLECTIONS, volume I, page 131.

proposal of Massachusetts to join with that colony against the Eastern Indians and to draft a reply, a member of the committee of war in 1725, of the council of war in 1740, one of those to consider the French encroachments at Crown Point in 1731, to receive colony arms from the heirs of Gov. Saltonstall in 1734, of the committee of war in 1743, and again in 1744 with power to build fortifications and to impress men into service, to prepare an address to the King in 1745 on the capture of Louisburg, to arrange what each colony should furnish for the expedition against Canada in 1747, and a member of the Hartford County committee of war in 1755.

He was one of the committee to search the records and draw up instructions to be sent to the colony's agent in England about the famous Lechmere case, which threatened to overthrow the colony's whole system of descent of lands.

On more formal commissions he appears as one of the commissioners of sewers in 1713, as one of the commissioners about controversies relating to Simsbury mines in 1731, and at sundry times from 1717 to 1737 he served on both committees and commissions for perambulating, agreeing upon and establishing the bounds between this colony and the colonies of New York, Massachusetts and Rhode Island, as well as being one of the committee to prepare and state the case of the boundary line with Massachusetts for transmission to England. In 1746 he was one of a commission to agree with Massachusetts on the conduct of the war.

In 1738, 1742 and 1743 he was one of the agents chosen to represent the colony before the Commissioners' Court in the controversy with the Mohegan Indians, one of the most important cases in which Connecticut was ever involved.

Roger was one of the twenty nominees chosen in October 1712 to stand for election the following May as governor, deputy governor, or one of the twelve members of the Upper House or Assistants. This time he failed of election; but the following year he was again in nomination, and was elected in May 1714 to the twelfth or lowest posi-

tion in the Council or Upper House. To this position he was re-elected the two years next following, and in 1717, owing to the death of a member above him, he moved up to the eleventh position. The next two years, although in nomination, he failed of election to the Upper House; but served as a deputy from Windsor. In 1720 he was again elected to the Council, this time to the tenth position in order of arrangement, owing to the failure of re-election of one above him. From this time he was continuously a member, and as the members above him one by one dropped out, four of them by death and five by failure to be re-elected, he advanced gradually until his election in 1740 placed him at the head of the list of members. Upon the death of Governor Joseph Talcott and the election of Deputy Governor Jonathan Law to the governorship, Wolcott was in October 1741 elected deputy governor. He was continued in this office for nine years. Then upon the death November 6, 1750, of Governor Law, the General Assembly was called together by Deputy Governor Wolcott to meet in special session at Hartford on the 21st of the same month; and the first business of the session was to "elect the Honourable Roger Wolcott Esq^{r}, to be Governor of this Colony until the Election in May next, in the room of the late Governor, the Honourable Jonathan Law, Esq^{r}, deceased." He was re-elected governor at the annual May elections of 1751, 1752 and 1753. In October 1753 he was again placed in nomination for governor; but when the votes were counted in May 1754 it appeared, as he says, that he "was dismist by a great majority of voices," and that Thomas Fitch, previously the deputy governor, had been elected governor. This, as Wolcott explains in his autobiography, was due to the reports prejudicial to him which had been circulated concerning his actions in the case of the Spanish snow.

When the votes for nominations were counted in October 1754 it appeared that Wolcott stood twenty-first in the list with 834 votes, and so had failed to be included in the list of twenty placed in formal nomination for the next spring election. The last on the formal list was John Griswold

with 891 votes, who now for the fifteenth and last time appeared on the list of nominations without having ever attained an election. Others on the list were Thomas Fitch, the governor, with 2051 votes, occupying the first position; William Pitkin, the deputy governor, with 2336 votes, occupying the second position; and Phineas Lyman eleventh in order on the list, with 2564 votes, a greater number than any of the others and probably approximating the whole number of freemen voting for nominees.

Until January 1708 it had been the law that the governor and deputy governor must be chosen from among the twenty placed in nomination to be voted for as Magistrates. At that time that clause of the law was repealed, so that "for the future the several freemen in the respective towns have liberty to choose for the Governour and Deputy Governour, where they see cause, of all or any of the freemen within this Colonie." The occasion of this alteration was the election by the General Assembly of Gurdon Saltonstall, who had not previously been in nomination, to fill the vacancy caused by the death in office of Governor Fitz John Winthrop.*

The custom, however, was so firmly established that from 1708, when the alteration permitting it was made in the law, until at least as late as 1800 when parties were introduced into the elections, no governor or deputy governor was elected who was not at the time of his election one of the twenty in formal nomination for the magistracy.

The only instance during this long period when any evidence is found of an attempt to elect a governor from outside the list of nominees for magistrates was in May 1755. Wolcott, as has already been stated, failed by less than sixty votes of being included in the list of twenty nominees for the May 1755 election. Nevertheless, according to his own statement in his autobiography, he received

*As the change in the law was not made until after the formal election and acceptance of the office by Governor Saltonstall, it seems probable that the repeal of the law was voted in order to prevent an embarrassing situation that may not have been noticed until after the election had been made by the General Assembly.

above 2500 votes, "and did not want 200 more" to have been elected governor instead of Thomas Fitch, the formal candidate. This shows a remarkable change in the feelings of the people towards him in the six months between September 1754, when the votes for nomination, and April 1755, when the votes for election were cast. The three years next following he was placed in nomination but failed of election.

The affair of the Spanish snow brought about Wolcott's defeat for the governorship and forced his retirement from political life. This ship, which carried a very valuable cargo consisting in part of gold and silver, had put into the harbor of New London in distress. The cargo was removed from the boat and placed in storehouses in the town, whence it was claimed that much of it had been stolen. The belief seems to have prevailed at the time that the governor in his official capacity had been very negligent in protecting the cargo of the snow while it was stored in New London, in consequence of which neglect the losses and embezzlements had occurred. This had occasioned complaint by the Spanish to the English government, and the consequent fear that the colony would be forced to make good the value of the missing portions of the cargo. The trouble had also included a controversy between the colony authorities and the crown officials, represented by the collector of the port, as to which was the rightful custodian of the cargo while it was on land. Wolcott claimed that he had used all possible care and precaution for the safety of the goods, and that whatever losses had occurred had been due to the negligence of the Spanish supercargo of the boat, to his not obeying the instructions of the governor and to his unnecessary delay in reloading the cargo and leaving New London. As has already been shown, the great alteration in the attitude of the voting freemen towards Wolcott unquestionably denotes an entire change of popular feeling in his favor after his defeat for the governorship in 1754. The British government also exonerated him from negligence or wrong-doing in the affair.

His legal ability was recognized in his appointment as judge of the Hartford County Court in 1721, and his continued re-appointments to judicial office until he became an assistant judge of the Superior Court in 1732 and chief judge in 1741, holding this position until his election to the governorship.

A word as to the salary granted to Wolcott for his services as deputy governor and governor may be of interest. As deputy governor he was at first granted £30 new tenor for each half-year's salary; but in October 1742 the grant was raised to £35, where it remained, with a variation during the year of the Louisburg expedition, until in May 1747 it was raised to £65, and so remained, with extra grants of £5 and £10 at two sessions, during his deputy governorship. When he became governor the usual custom was followed of making his salary twice that of the deputy governor, and for the first year it was £130 new tenor for each half-year. The following year it was raised to £143 new tenor, and the next year it was made £66 lawful money for each half-year.

Personally Wolcott is described as strong and well proportioned, as stately, with countenance and deportment adapted to command reverence and esteem. Yet he was easy of access, free, affable and unaffected, of ready wit and great humor. According to one writer, he while governor always maintained the dignity of the position, never appearing abroad but in full dress, which consisted of a suit of scarlet broadcloth. The coat was trimmed with gilt buttons and large gilt vellum buttonholes, the waistcoat was richly embroidered. Lace ruffles appeared at the bosom and over the hands. He also wore a flowing wig and a three-cornered hat with a cockade. A silver tankard, a large silver cup, each bearing the Wolcott arms engraved upon it, and two small silver beakers which may have been intended for use in camp, as well as his gold sleeve buttons, have come down in the family. The church in South Windsor, formerly the Second Church in Windsor, of which he was for many years a member, preserves two silver beakers bearing the one

his own and the other his wife's initials, with the date 1756, which were presented by him.

Roger was born January 4, 1679, the seventh and youngest child of Simon Wolcott and his second wife Martha Pitkin. He married December 3, 1702, his second cousin, Sarah the daughter of Job Drake of Windsor. She was born May 10, 1686, and died January 21, 1747/8. He died Sunday May 17, 1767, and was buried on the following Tuesday. At his expressed desire he was buried without military honors or any extraordinary ceremony. The government was represented at the funeral by a committee chosen from both houses of the General Assembly, which was then in session. A discourse occasioned by his death was preached by his pastor and appeared in print.* The table monument sacred to his memory may still be seen in the old burying ground at Windsor.

Roger and Sarah were the parents of fifteen children, nine of whom grew to manhood and womanhood, and all but one of these married and left descendants.

He was the author of the earliest volume of poetry printed in Connecticut, the title of which is:

Poetical | Meditations, | being the | Improvement | of some | Vacant Hours, | By Roger Wolcott, Esq; | with a | Preface | By the Reverend | Mr. Buckley of Colchester. | New London: | Printed and Sold by T. Green, | 1725. | 12mo; 2ff, | lvi, 78, (4) pp.

His only other publication issued during his lifetime is a small quarto of 24 pages with the title:

A | Letter | To the Reverend | Mr. Noah Hobart. | Boston, Printed by Green & Russell, 1761. |

The author's name and imprint appear at the end of this publication.

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*The Character of Moses illustrated and improved: In a Discourse, Occasioned by the Death of the Honorable Roger Wolcott, Esq; Of Windsor, who, for several Years was Governor of the Colony of Connecticut; And died May 17, 1767, In the 89th Year of his Age. Preached the first Opportunity after his Funeral. By Joseph Perry, A. M. Pastor of the Second Church of Christ in Windsor. Hartford; Printed by Thomas Green.

In 1895 this Society published, as a part of the third volume of its Collections, from the original manuscript in possession of the Watkinson Library of Reference of Hartford, "A Memoir for the History of Connecticut, By Roger Wolcott, 1759."

"The Wolcott Memorial" deals at some length with his life and character, and prints an autobiography written by him in 1755. Because of this it has seemed best in this short sketch to speak mainly of his public career.

WOLCOTT PAPERS.

RICHARD PARTRIDGE TO JAMES GRENVILLE.

To James Grenville Esqr.

As the Matter of the Application of the West India Merchants is under the Consideration of the Lords of Trade, I made bold to communicate to thee some Papers here inclosed very material relative thereto which I had by me ever since the Years 1731 and 1732 when an Attempt of this kind was made in Parliament for a Prohibition in both those years and dropt, the Arguments being so prevalent in the Negative that their Endeavours proved ineffectual, and the same Reasons still Subsist ; for if those Gentlemen should prevail in their pernicious design, it is apprehended it will be greatly prejudicial not only to the Trade and Commerce of this Kingdom and the Kings Revenue but exceedingly so to the Kings good Subjects of the Northern Colonys (who are as it has been computed in Number 20 Persons in those Colonies to one in the Sugar Islands) for that amongst other Arguments it is reasonable to suppose that the People in the said Islands wou'd give us just what Price they please for our Provisions and Lumber (when we have no other markets to carry them to) and put their own Prices on their Sugar, Rum and Molasses which they supply us with and not have half Molasses enough neither for our Consumption

The Four Northern Colonies I have the honour to represent contain as I apprehend four or five hundred thousand People exclusive of the others on the Continent, and whether it will be just and reasonable to encourage and gratify those Gentlemen of the Sugar Islands in their pernicious attempt at the Expence of the hurt and Damage of the Northern Colonies, who are so vastly Superiour in Number is humbly submitted.

The most of the said Colonies for whom I am Agent it is well known have readily and chearfully always paid due Obedience to the Crown when ever any Expedition has been on foot and they have received the Royal Commands by raising of Forces at a very great Expence which has never yet been required of the Sugar Colonies and therefore I humbly hope at least they may claim some merit from the Legislature here

Wherefore My Humbly Request is that the Lords of Trade would by no means give a Sanction to the Proposal of the said West India M[ ] till at least we have had time sufficient to acquaint our Principals with what has been laid before you and of the heavy and exaggerated Charge we are burthened with and to receive their Answer with proper Instructions for their defence it being impossible for the Agents to be prepared for it without—these things if thou wilt be pleased to lay before the Board I doubt not will have their due weight and will greatly oblige me hoping thou wilt excuse the liberty I take as I cou'd not otherwise tell how to dispence with the duty I owe to the People I represent who have thought fit to confide in my watchfulness and integrity and ward off if possible whatsoever might be offered here to their prejudice who are at so great a distance from their Mother Country.

R^{D} PARTRIDGE

London 9^{ber}: 17: 1750

[Indorsed] A Dra^{t} of my letter to James Grenville Esq^{r} 17th 9 m^{o} 1750 Rec^{d} May 6th 1751

RICHARD PARTRIDGE TO JOHN SHARPE.

Fr^{d} John Sharpe

Having Perused several of the Connecticutt Papers relating to Mason & the Mohegan Indians, I have made out a Dra^{t} of a Petition to the King in Council which I send thee inclosed desiring that on Perusal thou wouldst correct it & make such alterations therein as thou shalt think proper

And Col° Williams & I intend to be at thy Chambers in Lincolns Inn Square on the day called Tuesday next between 10 & 11 a Clock in the mean time I remain

Thy Friend
RD PARTRIDGE

Masons Court 9ber 22d 1750

RICHARD PARTRIDGE'S PETITION TO THE KING.

To King George the 2nd of Great Britain &c in Council The Petition of Richd Partridge Agent for the Colony of Connecticut in America Humbly Sheweth

That there hath been for diverse years past a Controversey subsisting & wch still continues between one Capt John Mason & since his decease by his Son Samuel Mason in behalf of the Mohegan Indians (inhabiting in the said Colony of Connecticutt) & the said Colony to their great detriment & Expence about several considerable parcels of Land Claimed by said Mason & the said Mohegan Indians.

That in order to settle & determine the disputes in question a Comission was Issued by the late Queen Ann in or about the year 1705 & executed by Joseph Dudly Esqr & others appointed, as Commissioners for that purpose in favour of the Mohegans, & afterwards another Commission was issued by the Crown in June 1737 appointing Commrs out of the Colonys of New York & Rhode Island to examine & determine the Pretentions of the Mohegan Indians who complained of Grievances received from the People of Connecticutt.

That accordingly such Commission was proceeded on in the Colony of Rhode Island & on due Notice given to the Persons appointed a Quorum of the Comissioners met, & heared the Parties concern'd & thereupon in the Year 1738 a Judgmt was awarded in favour of the said Colony of Connecticutt

That the sd Saml Mason not contented with the Judgmt of the Commrs came over again to Engld & by his Petition to the King in Council complaind of some Irregularitys in

the proceedings of the said Com^rs & thereupon obtain'd a Comm^n of Review whereby the last Judgm^t was reversed & new Com^rs appointed under the great Seal out of the Provinces of N: York & N: Jersey in 1740. To Reexamine, Review & determine the Disputes between the Mohegan Indians & the s^d Colony with liberty of either Parties Entering an Appeal from the Comm^rs Determina if they should find themselves aggrieved—& That the Charge attending [ ] the s^d Commission & all other Dispatches relating thereto in regard to the Poverty of the s^d Indians be defrayed at the Expence of the Crown.

That the s^d last mention'd Com̄iss^n was likewise carried into Execution prosecuted by the s^d Sam^l Mason who return'd with it to N. Engl^d & a Majority of the Comm^rs therein named met accordingly & after duly hearing all the Parties concern'd Came into a Judgm^t thereupon wherein They say, * * * * * * * * *

[Here follows the Decree of Judgment in full as it is printed on pages 102–111 of The Law Papers volume I, which form the Society's Collections, volume XI.]

* * * * * * * * * * *

That notwithstanding the foregoing Judgm^t so wisely & judicially awarded in favour of the s^d Colony after a fair & Solemn hearing of the Partys concern'd (besides the Judgm^t of the Comm^rs in 1738 given before in the s^d Colonys favour also)—The s^d Sam^l Mason being still dissatisfied with either of the s^d Determinations (w^ch had been the Result of quite different Comm^rs) & to demonstrate a restless and vexatious disposition by continuing to harass the s^d Colony in multiplying their Expence—hath enter'd his Appeal ag^st the s^d last Comm^rs Judgm^t to the King in Council & w^ch being allow'd of is set down for hearing: & in a late Pet^n to the King hath grossly aspersed not only the Comm^rs of Rhode Island who acted under the Royal Comm^n w^ch was issued in 1737 but those also who acted under the s^d last mention'd Comm^n by alledging that the Maj^r Part of them had given a very partial Judgm^t in favour of the People of Connec^t contrary to Evidence & apparent

Justice of the Case &c—& altho thrô the Royal Bounty he hath already recd upwds of £500 towds his Costs in these Suits, yet now in the sd Petn makes his humble applica for a further supply of money to enable him to prosecute his sd Appeal wch is now depends.

That althô the sd Mason carrys on his Suit in the Name & under pretence that it is for the benefitt of the Mohegan Indians, yet the Petr is credibly inform'd that this contest is really not a Contest between Connect & the Mohegan Indians but between Connect & Mason & that what he labours for is wth a View principally to serve his own Private Interest

That the Petr humbly apprehends it has been by false pretences & misrepresentations that the sd Mason hath imposed on his superiors & thereby obtain'd by the Royal Bounty a Supply of Money as aforesd to prosecute his Sinister Views, but that he might be prevented in succeeding in his further Attempts of the like kind—the Petr humbly apprehends he is in Duty Bound to the King & the sd Colony as their Agent thus to represent these matters.

Because the furnishing the sd Mason in the present occasion enables him by harrasing & distressing the sd Colony to lengthen out his prosecutions in order to dispossess the King's loyal & faithfull Subjects in the sd Colony of Connect of Lands which they have enjoyed time out of mind.

Wherefore The Petr in behalf of the sd Colony humbly Prays that on considera of the present Circumstances of their Case & with what View the sd prosecution is carried on & the fatal consequences thereof if the sd Mason shd succeed & also how grossly he has already imposed on the Crown, that no further Sum of Money may be granted him for ye purposes aforesd or else that the Petr may be heard what he may have further to offer agst it by his Council learn'd in the Law

all which is humbly Submitted

RD PARTRIDGE

London the 1750

[Indorsed] 1750 Dra^t of R^d Partridges Pet^n to the King in Council for the Colony of Connec^t in relation to Masons Petition.

ROGER WOLCOTT TO WILLIAM GREENE.

Windsor Novembr 26th 1750.

S^r

The occasion of my Giveing you the Trouble of this is the Controversey between the Coloney of Connecticut and the province of the Massachusets bay, about the Line Divideing between us.

The Proposals made by this Government, to Settle this affaire by Commisners to be appointed by Each party, has been So Long Rejected that the General assembly of Connecticut have Desred me to prepare the Case, with the Evidence and Send it to our Agent in Great Britain.

And forasmuch as I am Informed that the Coloney of Rode Island have the Same Controvercy with the Province, and are provided with testermonyes, where three milles from the Southernmost part of Charles River Terminates, I have Presumed to ask the favour of you, to Inform me of this Evidence, and whither it falls Short of Woodward & Saffrys Tree, and if So how much, as also Any other Evidence that you Shall Judge usefull for us.

I have not yet Recivd the papers from Mad Law, butt as I Remember, in your Letter to our Late Govenor, you propossed that the Two Governments Should Concert in this Affaire as far as is proper, and from hence I Encorage My Selfe, that this motion will not be Gr[ ] to you. And Let me be Esteemed, Your

Very Humble Servant
ROGER WOLCOTT

To William Green Esq^r

Copiee

THOMAS FITCH TO ROGER WOLCOTT.

Norwalk Novembr 30th 1750

Sr

According to your Honrs Direction I have Reviewed the State of the Case Respecting the four Towns and have made Some Small alterations therein, I have also added a few Lines at the End Respecting what the Assembly did last october and also to Signify my tho'ts about the State of the Case before 1713. Which as I was unacquainted with so could gain no intelligence about better than from Governour Saltonstalls observations and therefore unless your Honour is able to get better Information think it best to Refer the Agent to that for his Direction in Case an attempt Should be Made by the Massachusets to have Woodward and Saffarys Line Established, whether the Several Letters and Records Governour Saltonstall mentions and Refers to may be found among Sr Henrys Papers or among the Governours I canot tell Doubtless many May be found in our Records or in the files in the Secretarys office. I belive it will be as well to Draw a State of the case so far as may be Collected from the Records of the Towns which Shew their uneasiness and conclusions about the Matter, by it self and annex it to the General State of the Case and I Suppose Majr Lyman can do that the Best of any body he being so immediately acquainted with them things, you have with the Papers some observations of Mr Browns by way of Queries which Relate I think mostly to what may be proper to prepare as Evidence of facts. I pray your Honour and the Major to Inspect the case as I have Drawn and make Such corrections as you Judge proper all which is Submitted to your better Judgment by him who is with great Respects

Your Honours
obedient Humble Servant
THOS FITCH

Govr Woolcot

[Indorsed] To the Honourable Roger Woolcot Esqr Governour of the Colony of Connecticut From D G Fitch Novr 1750

BOUNDARY CONTROVERSY WITH MASSACHUSETTS.*

A State of the Case Respecting the Divisional Line between the Province of the Massachusets Bay and the Colony of Connecticut. viz.

By the Late Charter Granted by King Charles the first to the Province of the Massachusets their South bounds which have not been Altered were to be three English miles South of the Southermost part of Charles River and of Every Part thereof and from thence to Run an East and west Line &c

1642 after which viz in or about the year 1642 by the appointment of the then Governour and Company of the Massachusets Colony without the Privity consent or Knowledge of the Plantations Setled before y^t^ time on Connecticut Nathaniel Woodward and Solomon Saffary were ordered to Run the South Line of the Massachusets Colony and they accordingly about that time Run or pretended to Run a Line from a Certain Station fixed by them to a Certain Station on Connecticut River Known by the Name of Bissels House which is in Windsor an antient Town in Connecticut Setled before that time

N B: the Station from which the Said Surveyors Run their Line if it is Known where it was is Supposed to be and Doubtless is much too far Southward but how many Miles is uncertain as yet to us and the Line they pretended to Run was but a Sort of a Random Line for it came in upon Connecticut or Southward of a west Line from where they began Near Eight or ten Miles in some places—but such as it was it was Reputed by the Massachusets to be

* At the session of the Assembly in May 1750 the Governor (Jonathan Law) and Thomas Fitch were appointed "forthwith to state the case and prepare the evidence relating to the settlement of the divisional line" between Massachusetts and Connecticut, that "the same may be sent to our Agent in Great Britain." At the October session Roger Wolcott and Phineas Lyman were added to the committee, who were "desired with all convenient speed to forward the state of the case." And at the special November session the three surviving members of the committee were again desired "to state the case and prepare the evidence," "and forthwith send it forward to our Agent." The purpose of sending a state of the case to England was to forestall the possibility of any advantage being taken by Massachusetts in bringing the question before the ho me government when Connecticut was unprepared for such action.

the South Line of their Charter but Never owned by Connecticut.

1662 King Charles the Second in the fourteenth year of his Reign by Letters Pattent incorporated the Governour and Company of the Colony of Connecticut with Powers of Government and Granted them the Lands in the Said Colony and bounded them North with the South Line of the Massachusets Plantation soon after which there arose Disputes about the Dividing Line between the two Colonys the Massachusets insisting upon the Line Run by Woodward and Saffary tho' where they began and where the Line Run in Some places Seemed to be uncertain and Connecticut insisted upon a Line to be begun and Run according to the Charter granted to the Massachusets which Matters Remained unsetled till the year 1713, in which Time the Massachusets contrary to Right Setled Several Towns and Made Many Grants of Lands south of their true bounds and within the Bounds of the Connecticut Charter by which Means Controversys arose to End which the Governments Endeavoured a Setlement

1713 And for that Purpose in the year 1713 the General Assemblys of the Respective Governments of the Massachusets Bay and Connecticut appointed Commissioners to Setle and comprimise the Differences Subsisting and to Run and fix the Dividing Line between the two Governments.

1713 July 13 The Said Commissioners came into concluded and executed articles of agreement Respecting the Said Differences and the Line between the Said Governments wherein Among other things they Agreed and concluded

first that the Dividing Line between the two Government Should take its Commencement from the Antient Station fixed by the Said Woodward and Saffary and that a west Line from thence Should be Run according to the Royal Charter to the Late Colony of the Massachusets Bay which Line so far as there were then any Settlements was to be Run Adjusted and Determined by persons Appointed or to be Appointed by Each Government within twelve

Months from that time and afterwards to be further Continued to the full Extent as the Governments Should Direct

2dly That the Town of Woodstock Setled by the Massachusets and the Town of Symsbury Setled by Connecticut Should Remain Intire to the Respective Governments by which they were Setled both as to Property and Jurisdiction the Intersection of the New Line notwithstanding

3dly they Agreed Respecting the Settlement of Bounds between Symsbury and Suffield &c

4thly That the Town of Enfield granted by the Massachusets Should Remain Intirely under the Jurisdiction of that Government according to their Grant the Southern Bounds of which in Said Agreement is Described as well as other Bounds of Suffield and Windsor &c

5thly That the Several Tracts of Land formerly granted and laid out to particular Persons therein Named which lay near to or bordering on the Line granted by Either Government Should be held by the Respective Grantees according to the Priority of their Grants altho by the New Running of the Line Such Lands Should Appear not to lye in the Jurisdiction of the Government by which they were Granted

6thly That for as much as the Challenges of Many Persons Could not then be Determined they further Agreed that the Governours of the Massachusets and Connecticut with the Said Commissioners or others to be Appointed in their Room Should Receive hear and Determine the Challenges of particular Persons and to Determine the Equivalents that Should be made, but no Claims to be Received after twelve months without the Special allowance of the Respective Governments and that Equivalents Should be made for Lands granted by one Government and held under Such grant in the other Government &c.

N B: That this agreement was made upon a Supposition that Each Government had Setled Inhabitants beyond the true Line which appeared to be a mere Mistake for that the Massachusets only had done so and notwithstanding a Colourable pretence of the Massachusets Defending Wood-

stock in a Long and tedious War Connecticut have always assisted and Sometimes Raised the Greatest Number of Men and Sent them for the Defence of the Western Setlements belonging to the Massachusets

and further by the New Running of the Line it appeared that both Woodstock Symsbury Suffield Enfield and Summers &c fell to the South of that Line so that one Could not be Exchanged for the other as seems by the Agreement to be intended or Supposed.

1713 October 8th That altho the Said Agreement was Made So much in Favour of the Massachusets yet for Peace Sake the Government of Connecticut approved of and Ratified the said Agreement and about the Same Time the General Assembly of the Massachusets did the Same.

December 28th 1713 At a Meeting of the Said Governours and Commissioners Equivalents were Agreed upon for Several Grants Made to particular Persons and for the Towns of Woodstock Enfield (which then Contained Summers) and for Part of Springfield all Granted by the Massachusets and fell within Connecticut and lye on the East Side of Connecticut River which Equivalents were to be taken up in the Waste or then Ungranted Lands in the Massachusets the Jurisdiction of which Connecticut Never had tho' it Seems by a Resolve of the Said Governour's and Commissioners made December 29th 1713 to be intended yt Connecticut Should have the Jurisdiction and Setlement as well as the property of the Same

the Number of Acres then Allowed to Connecticut for Equivalents as aforesaid were Seventy Nine Thousand Seven hundred and Eighty five and that what Should be found on the west Side of Connecticut River in the Massachusets Possession South of the Said Line was to be Allowed for in the Next Session or Meeting of the Commissioners after the further Running of the Line by the Riding Commissioners So Called

They further Determined that as it appeared by the then late Running of the Line by the said Riding Commissioners that the said Line took off Part of Springfield and

Part of Westfield both which Parts fell to the Southward of the Line betwixt the two Governments those Parts so cut off Should Remain to the Respective Townships of Springfield and Westfield both in the Government of the Massachusets the Intersection of the Line Notwithstanding

July 8th 1714 At a meeting of the Said Governours and Commissioners in answer to a Motion Made by the Governour and Commissioners of Connecticut that Consideration Should be had in the Equivalents allowed with Regard to the Distance or Nearness to the Sea and the Goodness and Value of the Lands so exchanged as well as the Number of acres, it was agreed to Recommend it to the Consideration of the General Assemblys of the Respective Governments to Augment the Quantity accordingly.

But whether the Massachusets ever made any allowance I can not Say though I suppose they Never did.

the Said Governours and Commissioners on the further Running the Line on the west Side of Connecticut River agreed to allow and allowed twenty eight Thousand and eight acres of Land to Connecticut for so much in the Towns of Springfield Westfield and Suffield Lying to the Southward of the Line but whether this was ever compleated I cannot Say

July 12 1714 And then Contended that in as much as there Might be some things Depending Relating to the affairs of the Line wherein particular persons were Concerned that had not then attended it was proposed and Recommended to the General Assemblys of the Respective Governments that the then present Commissioners should be continued or Some other meet Persons should be appointed to Adjust and Settle those Affairs

but nothing of that Kind appears ever to have been done

N B. That about fourty four thousand acres of the Lands allowed for equivalents Connecticut consented to take at a place Called Coasset which was then Supposed and Claimed by the Massachusets to be within their Charter but Since the Settlement and Running of the Line between

the Massachusets and the Province of New Hampshire that fourty four thousand acres tho not taken at Coasset yet was taken at a place which since appears to Lye North and out of the Massachusets Charter and in the Province of New Hampshire so that the Colony of Connecticut was Deceived in the exchange of Lands Made and therefore have Really Received no equivalent of the Massachusets for fourty four thousand acres of Land which the Massachusets granted and Settled in Connecticut

Neither do we find any Confirmation made by the Assemblys of the Respective Governments of any Doings or transactions of the Said Governours and Commissioners or any of them but only of the Agreement made on July 13th 1713. nor hath there been as ever we can Learn any Royal confirmation of the aforesaid Proceedings or any of them Matters being Settled in the Manner aforesaid tho' they seem to have been left incompleat Diverse Towns as Woodstock Suffield Enfield and Summers with Parts of others as of Springfield and Westfield plainly appeared to be within and under Connecticut Charter even according to the Line then Run which without all Question Comes in upon Connecticut considerably but How much will more Certainly appear by some Tryals Rhode Island have lately made to find the true South Bounds of the Massachusets Charter. and it being by the Agreement Aforesaid Concluded that those Towns as woodstock &c and Parts of Towns as of Springfield &c Should Remain Under the Jurisdiction of the Massachusets notwithstand they Lye to the Southward of Said Line and so within Connecticut the People Living therein and thereon for Some time tho' Never well pleased with it Submitted to the Government of the Massachusets and so Long as the People were quiet the Colony of Connecticut Supposed they Might permit and accordingly permitted the Massachusets to Govern those People But after Some time the Inhabitants of the Said four Towns Growing more uneasy in being under the Government of the Massachusets and in being Deprived as they apprehended of the Priviledges Granted in the Royal Charter to Connecticut at

length Concluded to and accordingly unitedly made their application to the General Assembly of the Colony of Connecticut at their Sessions in May 1747 in their Memorial Setting forth and Representing that they were within the bounds and Limits of the Royal Charter Granted to the Colony of Connecticut and were Justly entituled to the Rights and Priviledges thereof Complaining also that by Said Agreement they were greatly Agrieved by being allowed to be under the Jurisdiction of the Massachusets and thereupon prayed for Releife &c. whereupon the General Assembly taking into Consideration the Matters in Said Memorial and what was therein alledged viz. that they the memorialists Conceived that the Colony of Connecticut Could not transfer or alter the Jurisdiction of the Lands granted by their Charter and that the same was done without their consent and was an infringment on their Rights &c. Judged those things worthy of Notice in Regard to the Rights of those People and thereupon being greatly Desirous of an amicable Conclusion and very unwilling to enter into a Controversy about those Towns appointed a Committee to Confer with a Committee from the Massachusets on the Matters alledged and Complained of in Said Memorial on which the Said Memorialists made a Motion to the Assembly of the Massachusets to appoint a Committee to Joyn ours but their Motion was utterly Rejected

Octob^{r} 1747 Thereupon the Inhabitants of the Said Towns presented their Memorial to the General Assembly of Connecticut in October 1747 Representing the Massachusets Denial to hear their Request and further urging their Right to be and praying they might be Received and acknowledged to be Members of and in the Government of Connecticut.

Upon which the General Assembly of Connecticut being Still Desirous to prevent Controversies between the Governments and y^{t} Justice might be done to those of his Majestys Subjects, appointed other Commissioners to Meet with such as the Massachusets should appoint to hear the Inhabitants of the Said Towns on the Matters of their Com-

plaint and Report what they should apprehend Right to be done that so that affair might be amicably Setled &c. and Desired the General Court of the Massachusets to Joyn therein &c.

But Still the Massachusets Refused to take further notice of the Matter than Entirely to Reject the Motion.

May 1748 The Said Inhabitants Still insisting on their former Request presented another memorial to the General Assembly of Connecticut in May 1748 more Largely Setting forth the Matters aforesaid and further insisting on their Right to be in Connecticut the Consideration of which was Referred to the Sessions of the Said Assembly in May 1749.

May 1749 At which Sessions the Assembly having More fully considered the Matters and the Rights of those People Declared that they were of opinion that as it did not appear that ever the Said Agreement had so it ought not to Receive the Royal Confirmation and that as the Governments could not give up exchange or Alter their Jurisdictions so the Said agreement So far as it Respected Jurisdiction was void and thereupon Declared that all the Said Inhabitants which Lived South of the Line fixed by the Massachusets Charter were within and had Right to the Priviledges of this Government the aforesaid Agreement Notwithstanding and that for as much as there might be Some uncertainty both with Respect to the beginning and Running of the Line it was Necessary that Measures should be taken to Ascertain the Same according to the Charters of both Governments and therefore appointed Commissioners to Joyn with Commissioners from the Massachusets to ascertain and affix the Said Line according to the Charters and that being approved by the Governments application should be Made for the Royal Confirmation and in Case the Massachusets Should Refuse to Joyn or the Commissioners Should not Agree that then the Case should be Stated and prepared and Sent to our Agent in order for him to Petition his Majesty to appoint Commissioners to Run and Ascertain the Said Line according to the Charters &c.

since which Diverse Letters have passed about those matters but nothing Concluded the Massachusets Refusing to appoint Commissioners to Joyn according to our act but Did at last appoint Commissioners for very Different purposes so that our Commissioners and theirs Could not Joyn and so no Meeting has been had.

But the Inhabitants of the Said Towns Do now Submit to the Government of Connecticut and Receive the Benefits thereof Yet as the Line is not Legally and Certainly fixed so it is necessary that application be Made to his Majesty to appoint Commissioners according to the Resolve of our Assembly in May 1749 and accordingly the Assembly in May 1750 have ordered it to be done Upon the whole tho' at the Time of Making said Agreement it was not so well Considered what the Governments Might or might not do and therefore they came into such a Conclusion yet on a Complaint and Representation made by the Inhabitants of the aforesaid four Towns the General Assembly of the Colony of Connecticut more maturely considering the matter apprehended they Could not Justly Deny those Inhabitants the Priviledges granted by the Royal Charter to Connecticut within which it plainly appears they are Scituate and therefore Judging that as the Massachusets without the Consent of the Crown Could not Cede Jurisdiction within the Limits of their Charter to Connecticut so neither Could Connecticut give to the Massachusets Jurisdiction within the Limits of the Connecticut Charter for if they Could Grant it in Part they might Do the like in the whole and thereby Shift their Jurisdiction from one Government to the other and therefore Connecticut Judged that when those People Requested it they ought to be Received and Could not Justly be denyed being Received where they properly belonged and accordingly the Colony of Connecticut have Acknowledged and Received them tho before that was actually Done Endeavoured as aforesaid to Settle the Matter by an Amicable agreement with the Massachusets and all this Connecticut apprehends to be Just fair and Legal—for that

1st the agreement tho as to the Exchange of the Property of Lands it might be Good yet as to Jurisdiction it is void unless it had been Confirmed by the Royal authority

2ly That Connecticut by sd Agreement tho it seemed to be intended they Should yet Really never Received Any Equivalent for the Jurisdiction proposed to be Surrendred

3ly That the agreement it Self was made on a Supposition that Each Government had made Grants and Settlements over the true Line which was either a Deceit or meer Mistake which shows it is no ways unjust to call that Matter into question again and more Especially Since Connecticut had not made one Grant northward of the Line agreed upon which also Connecticut was Deceived in it Since being found to be Much more Southward than it ought to be

4ly that fourty four thousand acres which the Massachusets pretended to Allow as part of the Equivalent to Connecticut appears to be in the Province of New Hampshire consequently that must be accounted as nothing. the agreement was that the Equivalents Should be made in the Ungranted Land in ye Massachusets and they have fell Short of ye Quantity agreed on the Number of 44,000 acres.

and 5thly that Some Matters Remained finally incompleat and there don't appear to have been any Ratifications of any of the Proceedings aforesaid but only of the Agreement made in July 1713. these things being Considered it appears Necessary that Commissioners be appointed to fix Run and ascertain the Said Divisional Line according to the Charters to both Governments.

N B Since the above Draft connecticut have appointed Commissioners to confer with commissioners from the Massachusets about the Matters aforesaid and Report what they shall agree upon &c and this is done if possible to Settle Matters in Peace.

and further it may be Noted that the State of this Case before the year 1713 May be Seen from Governour Saltonstals M[ ]ial and observations Sent Sr Henry Ashurst our agent and the Papers left in his Hands which perhaps at this Day may be found.

ROGER WOLCOTT TO RICHARD PARTRIDGE.

WINDSOR Decr 15th 1750

Sr

My Honble and Worthy Predecessor Govnr Law, after about two Days Sickness Dyedd the Sixth of Novr Last, and the publick affairs that were in his hands ere Now Revould upon me.

I have Recvd yours of the 29th of Septembr Last, with the agreeable Intelligence that you are Like to Recive the money Granted for the Intended Expedition in a Short time. by the Enclosed Copy of an act of our Assembly in Octobr past, You Will have an Order to put that money into the bank, Which I Disire you would Comply with as Soon as you Shall Recive the money, and Give us Information thereof.

I have also Enclosed an Act of Assembly Respecting the Line, by which You will find, that altho, they are Resolved, to Carry that Affaire into a Legall Setlement, yet they are attempting once More to Endeavour yt it may be Don by Commissrs from Each Governt. You Will not be Surprized, that the Death of Govnor Law, Should Give Some Delay to the Stateing of that Case, which nevertheless Shall be Done, and Sent you with the Evidence as Soon as possible, in the mean time I hope you will prevent any Surprize from the Adverse party.

On Opening Your Letter, I Did not find a Copy of the Account Made Up with Mr Palmors Executors Enclosed, 'tis probable Your hast Might Cause it to be Omitted. I hope you will Send it by the Next Oppertunity. the ballance is More in favour of Mr Palmer than Govenor Law Expected butt I Can Say Nothing to it while it Comes to Sight. Mr Palmor Served us With Good Aplycation and prudence and we are Willing Justice Should be Done his Estate.

I have also Enclosed an Act of Our Assembly in Octobr past, Declareing there Reasons for there advising Colo Williams to Give a furlough to his Regiment, this act was made to prevent any blame that might be Laid upon us, for advising to that furlough it is probable it is Now to late to

make any Improvement if it for the Benifit of the Regement, this must be Left to Your Selfe and Collº Williams, to whome I Dissire you Would Give my Service, and my thanks for Every thing he hath Done for the Govarnmt and Let him have this act of assembly to use if he Dessires it.

Decr 17th 1750. I have just now, Recvd yours of the 18th of Octobr Last, and Shall Lay the Accont with Mr Palmors Executors before the Assembly as soon as I shall Recive the Copy of it, they will Consider whither You Shall Move for a Drawback upon Boilston & Palmer.

What money you may want for the Case with Mason you must keep in your hands, of the Money Granted for the Intended Expedition, and use it. the Case Must not be thrown away for want of Suport, Your accnt When Layd before the assembly, I presume Will be Cheerefully allowd. I Esteem it Hapy for us, that Mason's Designes were So Easily Discoverd by Collº Williams and hope thereby May be prevented

I am Your Very Humble Servent
ROGER WOLCOTT

[Indorsed] To Collº Partrige Decr 15th 1750 Copia

ROGER WOLCOTT TO JOSIAH WILLARD.

Windsor Decr 17th 1750.

Honble Gentlemen.

This Encloses unto you a Repeated proposal from Connecticut to Endeavour a Settelment of the Dividing Line between the Province and this Colloney. You are not Insensible that the agreement in 1713 was Occasioned by the Violence Commited by the Borderers Especially by the Inhabitants of the Towns of Windsor, and Endfield the Grant of these two Towns Laping one upon Another, the Inhabitants were So fiercely Engagd that I have Seen Near a Hundred men Meet to Decide this Controvercy, by force, a Resolute Combat Ensewed between them in which many blows were Given to the Exaspering Each party. So that the Lives and Limbs of his Majesty'es Subjects were Endangered thereby.

The two Governments took these matters into Consideration and this Collony to purchass peace Conceeded further than they had a Right to Do, and So in Consequence Did nothing

While the Borderers were Quiet youre Exerting Authority Over the people, that were South of the Line Set in the Charter was more (?) tolarable and not Oppossed by us.

Butt Now the Case is Otherwise, the Borderers are Resolved to be Subject to the Governm^{t} under which the King and Law hath plas^{d} them from hence there is a thretning appeareance of force amongst these people which the Law will Not Justify, and to what Extremities it may proceed is unknown, Right is a Stubarn thing, and Men that will Easily Submit, to the order of the Law Determinging there Right, will Carry there Resistance very High, before they will be forc^{d} out of it, and it Seems to us there is Nothing will put an End to this Controvercy butt a Legal Setlem^{t} of the Line.

These Considerations haveing Inducced this Governm^{t} to Repeat to you a preposal to Settle the Line by Commisn^{rs} [from whence?] you will Easily Observe that altho we will Deny Right to none, that have a Demand upon us for it, Yet we would have it Done in the most Easy and peacable Manner, and We Apprehend this preposal will not be Greivous to you from an opinion that you are Dessirous y^{t} all his Majesty'es Subjects Should peacably Enjoy what is there owne, and would Caerefully Avoid Useing any forc that the Law will not Justify to Disturbe them in it

You Will further Consider that this attempt May attaine the Ende Dissigned by it, butt if it Should faill, we are butt where wee ware. His Majesty is Still our Common father, and as the Rights of his Subjects have been Dear to him in Every Instance Since his Accession to the throne So we Need Not feare that he will Do Right in this Case.

I Am Gentlemen

Your Very Hum^{ble} Servent

R WOLCOTT

To M^{r} Secretary WILLARD to be Communicated to the Legislature of y^{e} Province of the Masechusets bay

ROGER WOLCOTT TO RICHARD PARTRIDGE.

WINDSOR Decr 17th 1750

Sr

This Comes to acknoledge your favour of the 18th of Octobr Last which I Just now Recivd with the papers Enclosed. by Yours you Informe me, that Mr Mason is moveing for his majestye for money to Carry on his Appeal which you are Endeavouring to prevent.

The prinsipal thing that he pleads is the poverty and Distress of Moheagon Indians.

by the files of the Commissns Court with you it will appeare, that five thousand acres of Land, is Setled upon the Moheagan Sacham and Indians and the Numbr of Indians is Small and Sience that time they are Much Decreased So that I am Informed that there is not Now thirty Men of them, the Land Lyeth in the Madelle of the Contry upon New-London Harbour, and is Worth an Hundred pounds an acre New England Corroncey in the whole five Hundred thousand pound I Supose that they have Neaver yet Improved the Tenth part of it.

Mr Mason's Compassion for these Men Extending to the undoing himselfe as he Complains and Crying So vemantly to the Crown for money to Relive them and Spending it faster than he Can Get it may Reasonably be Judged an Immodrate Concern.

Compassion is an Amiable Virtue in Mankind, Which Makes Some pearsons pretend to have More of it than they have Wheather this is not Mr Mason's Case will appeare, When You Look into the files of the Commissrs Court and find yt the English Tennants Cited into Court were very Numerous and they ware not Near all Cited in. I am Informed that there are About Two thousand family's of his Majesties Loyal English Subjects Setled on the Lands he Contends for, and if he prevails these must be all Turned out of there Houses & farmes which they have built and Subdued, and made valuable, and be Turned into the wide World Utterly undon for the Sake of thirty Indians that are So well provided for, it is Strange that a Compasinate hart

Leik his Can Ever Suffer much less attempt to Do this Without the Least Concern

It is Evident his Designe is to Suport himselfe with his Majesties Money. and build himselfe up on the Ruens of his Subjects.

I Cant forbare takeing notis of his plea that the Money aught to be Granted, because this is the Last time he Shall aske.

Is the King bound to hire him to forbare asking for money. the Case has been twice Tryed and Judged against him The Sachem and the Gratest part of the Tribe Renounce the Sute and him With it, if this Will not Discorage him Nothing Can for he now makes the Large Remitances the King has already Granted an Aragument for his asking more att this time.

if the appeal Goes on Let Nothing be Wanting to make the best Defence, all the Evidence that Can be Improved in the Case is in the Records and files in the Commiss^{rs} Courte Sent to M^{r} Palmor and M^{r} Solict^{r} Sharp is the best man we Can have to observe upon them So wishing You Good Sucses I Remaine

Your Very Hum^{ble} Servent

ROGER WOLCOTT

To Coll^{o} R: Partrige

[Indorsed] To Coll^{o} Partrige Dec^{r} 17th 1750 Copia

GEORGE CLINTON TO ROGER WOLCOTT.

Fort George in New York 18th December 1750.

Sir

I take this Early Opportunity to acquaint you with my Intentions, to meet the Six Nations of Indians and their Allies at Albany, the first Week in June next. In hopes of Confirming them in the British Interest, and defeating the Intrigues of the French, who of late have been very Active among them, and by the large quantitys of Goods they have distributed to the several Nations, may have rendered their Fidelity to the English very precarious.

The Expence this Government hath continually supported to preserve the Indians in a good disposition towards us, has been very burthensome, and the Great pains the French are taking to secure them, will greatly increase this Charge, which any Single Colony will be unable to bear. If the other Colonies should neglect joining therein, it may Give Our Rivals the Advantage they have been long labouring to obtain over the English Governments, and in the end be a Means of our losing the Indians, and with them a very valuable Branch of Trade: Besides the Calamaties we may have Reason to fear from their Going over to the French, which are too obvious to need mentioning.

The present wavering disposition of the Indians may in a great measure be imputed to their dread of the French, which will ever Influence their Conduct, as long as the Colonies remain disunited in their measures. But if they see we are united, and resolved hereafter to Act in Conjunction, their fears will disperse, and they may easily be brought to look with Contempt, on what they before dreaded, seeing they might then rely on a powerfull Assistance from us, if the French should attack them. And as nothing can more lend to his Majesty's Service, and the Welfare and safety of his Provinces, than this Union of Councils amongst the several Governours upon Indian affairs. I do now Communicate my Thoughts on this head, to all the Governours of the British Colonies upon the Main of America: in hopes that they will see the necessity of establishing such an Union, and if they can not attend the Treaty at Albany in Person, then to send Commissioners to concert and conclude on the necessary Measures, to be taken on this Important occasion, assuring my self they will come furnished with proper presents to be distributed among the Indians at this Meeting. At which I flatter my self with your assistance, or that of Commissioners from your Government.

If this proposal of an Interview between the several Governours, or Commissionrs representing them be approved of, and they meet accordingly, it will I conceive be very proper they should examine into, and draw up a state

of, the Indian affairs, to laid before his Majesty, and at the same time Consider whether it would not be a proper step, to agree on a Representation to the Governour General of Canada, touching the Conduct of some of the Governours and Officers under him, who have been Guilty of Infractions of the Treaties of Peace, Subsisting between Great Britain and France, and particularly of the 15th Article of the Treaty of Utrecht: Especially if it is done with such a Concurrence, upon Good proofs, which I hope all who know of any such, will come furnished with, or with the means of procuring them.

Some other Governments I send this Letter to, may possibly think they have no concern with Indian Affairs, because other Provinces lay between them and the Indians. But if our Indians should be Gained by the French, they may soon be induced to harrass the Colonies lying between such other Governments and the Indians, so as to oblige the Inhabitants to desert them, as lately happened to the Greatest part of the County of Albany in this Province. In this Case (which God avert) they will find, when too late, that they had an Interest in Indian Affairs, to which if they had duly attended, these dreadfull consequences might for ever have been prevented. And as the very News of such an Union of Councils, must on the one hand greatly Encourage the Indians to be steady to the British Interest, so on the other, it may tend to discourage the French from continuing their Endeavours to draw over our Indians from us. I am

Sir Your Honours very humble servt

G CLINTON

The Honoble The Presidt of the Council of Connecticut.

[Indorsed by Wolcott] From Govr Clinton Decr 18th 1750

Recd Jan 4th

ROGER WOLCOTT TO LORDS COMMISSIONERS FOR TRADE AND PLANTATIONS.

WINDSOR Decr 31st 1750

My Lords

Yours of the 19th of July 1750 to the Govr and Company of the Colony of Connecticutt is Recivd and to Express the Pleasure that we have in the Care that is Taken of the Plantations and the Obedience that we Justly owe to Your orders beg Leave to Inform Your Lordships

That the Colony of Connecticutt is bounded North on the Province of the Massachusetts Bay East on the Colony of Rhode Island South on the Sea or Sound west on the Province of New York: I have made the best Enquiry that I Can to find a Survey of the Colony from whence I might Give You A Map but Cannot find any Regular Survey that has been made: therefore must Confine my Self to Inform You that our west bounds are about fifty five Miles our North bounds Near Sixty miles our East near thirty five Miles in Length

Our Vouchers for this Land are our Conquest and Purchase of it from the Indians our Long Possession but Especially our Charter Granted by King Charles the Second in 1662

When we first Setled in this Colony in the Year 1636 the Dutch had a fort on Connecticut River at Hartford but on our Coming they Soon Left it the Country was then full of Indians with whom we had Several Severe wars by which and by a Fatality that Attends them they are now wasted to a few there are no Subjects of any forreign European Prince or State Now have or Ever had any Settlement within this Colony Except the Dutch above mentioned

But the French at Canada are threatning to Drive us and all the English on the Continent into the Sea and are advancing in their Settlements nearer and nearer towards us altho none have been made within this Colony I am

Your Lordships

most obedient verry

Humble Servt

To the Lords Commisioners for Trade and Plantations

[Indorsed by Wolcott] A letter to The Lords Com^rs for Trade and plantations Dec^r 31 1750 Concerning our boundaries

ROGER WOLCOTT TO RICHARD PARTRIDGE.

WINDSOR Janary 5th 1750.

S^r

I wrote to you on the 15 & 17th of Dec^r past which I hope you will Receive, and have Little now to ad, butt my Dissire, that you will Deliver the Two Inclosed Letters as they are Directed.

That to his Grace the Duke of Bedford Contains an acc^ont of the Numb^r of Our Outstanding Bills, Which is One Hundred & Ten thousand pounds New Tenor, & £3000 old Tenor, The time when Emitted, the time fixed for Discharging 'em, there Sterling Value when Emitted, There Sterling Value in Octob^r 1750.

That to the Lords Comiss^rs for Trad, and Plantations is a Certificate, of our Boundaries and whither any Encroachments have been Made upon us by foreigners.

Yesterday I Recv^d the Duplicate of Yours of the 19th of Septemb^r Last to Govenor Law, Incloseing of Our Acc^ont with M^r Palmors Executors I had Reciv^d this Letter before Without the Copy of the Acc^ont Which I Observed to You before in my former Letter. I shall Lay the acc^ont before the General Assembly, for there Approbation or further Direction. I Am

Your Very Hum^ble Servant,
ROGER WOLCOTT

To RICHARD PARTRIDGE Esq^r

WINDSOR Jan 8th 1750

P S

S^r

The Enclosed I sent to you in my last Which I hope you will Receive but to be more sure it Comes with this And I desire you will Dispose of the money according to

the Direction therein Given. And Let us be Informed of it by the first Good oportunity I am

Your Humble Servt

ROGER WOLCOTT

[Indorsed] To Colle Partridge Jany 5th 1750

WILLIAM GREENE TO ROGER WOLCOTT.

Warwick January 5th 1750

Sir

Yours of the 26th of Novemr Last I Recd the 24th of Decemr following wherein you Request that I will Informe you of wt evidence we have to prove where three Miles Southward from the Most Southermost part of Charles River Terminates, and whether it falls Short of woodwards and Saffrys Tree, and if so, how much as also any other evidence, that I Shall Judge Useful for your Government, Concerning the Controversy Betwixt your Government and the province of the Massachusets bay about their Dividing Line &c

I Should be well Pleasd if it was in My Power to oblige your Honour with the evidence you propose but at present Cannot: our General Assembly have Some time past, Resolved to Settle the Line Betwixt us and the province, according to Charter having No Regard to Any former Agreements, And have appointed Commissioners to Meet with Such as Shall be Appointed by the Province for that purpose; And to Run the Line Expartee Provided the province will Not Joyn them; They were to Meet at Rentham Last Month, Some time: Our Government has Been at the Expence of Geting a land Quadrant Made on Purpose that after they have Measured three Miles South from Charles River, they May in Runing westward keep as Near as may be in the Same Latte which will be More exact than a Compass only:

When those Gentlemen Informes me of their proceedings and how Near they Come to woodwards And Saffrys Tree (or Stake so Called) I will Indeavour to Informe you

thereof as Soon as May be
I am Sir
your Most obediant Humble Servant
W. GREENE

Hon^ble ROGER WOLCOTT Esq^r

DUKE OF BEDFORD TO COLONY OF CONNECTICUT.

WHITEHALL 10th January 1750/1.

Gentlemen,

Having informed the King that Major General Wall, the Spanish Minister, upon delivering me the Paper, of which you have inclosed a Copy and Translation, had desired that Directions might be sent to the respective Governors upon the Coast of North America, not only to pursue and bring to Justice the Persons who had made off with the Effects, which the Commander of one of the Spanish Ships wreckt on the Coast of North Carolina had laden on board the English Bilander, as specified in the inclosed,* but in general to assist the Spaniards to their utmost in the recovering and repairing their Losses upon this unfortunate Occasion, I am to inform you of the Kings Pleasure, that you should accordingly give them all possible Assistance, within your Jurisdiction, for that purpose, as well from a due Attention to Justice and Humanity, as to that Friendship and Regard which at present so happily and mutually subsist between the two Nations. I am

Gentlemen
Your most obedient
humble Servant
BEDFORD

Governor and Company of Connecticut.

[Indorsed] Duke of Bedfords Letter concerning the Money carryed away from the Spaniards Jan^y 10th 1750/1

* "Two Spanish register ships, which sailed from the Havannah in Aug. last, with a ship of war, and a snow, were driven on shore near cape Hatteras, in a violent storm, Don Boneta, the Spanish commander, employ'd some of the country sloops to save his effects, and one of them, Zebulon Wade, master, of New England, went away with 55 chests of money, some trunks of gold and silver plate, and 155 bales of cochineal; another sloop was under sail with the same base design, but was prevented. The snow, which had 200,000 dollars on register, went ashore at Cape Lookout, only three men and a boy saved. The ship of war sunk; and only four men drowned."

Gentleman's Magazine for 1751.

NEHEMIAH GREENMAN TO JOSEPH BELLAMY.

Revd & Honrd Sir:

Those Books are Come Safe to hand, and are well Accepted by many: As to my Self, I must Acknowlidge, that I never read any Book,* that gave me more Light, and Satisfaction; And alltho' it is the very Sentiment of the Bottom of my Soul, and the very Religion that I have Preacht, and do preach, (Because I've no other Scheme) Yet, I Could Never call it my Own till Now, because I never had a Method that Suted the Bottom of my heart till now. I am Asshamed that I never had a Method, or Scheme, before this day; But Alass! how could I help it? For all my Ideas took wing and flew away, I know not where! nor when! they Stole away. (as good Servants do from a bad master when they are Starvd to death) I pursued after them, but in vain, till thy dear! honist Book gave me intelligence, Saying, they found no rest, untill they found Bethlem, in New England—in which they found a House, in which they found a Study, in which they found a Man, in which they found a Soul, every way qualified to Receive them, and Set them in order, (for they were much Confused) and then, Send them home to old Greenman again. May I not thank and kiss your Little Book, for bringing home my Ideas again? Must I not Love and thank you more, and feel my Self under greater obligations to you than ever, for setting or rainging of them in Such Charming order, and Distinguishing Light? And must I not be mindfull of a kind providence in All this? And who can blame me for not having a Method or Scheme before this day? if they do but Consider, that Mr Bellamy had all my Ideas Confin'd in Bethlem, for this Seven years past. No wonder I've been So barren! poor Soul your Ideas would Never have Left you, did you but know what to do with them:——therefore be humble, and thankfull, and improve them Better, and See that you keep them in due order——ah!——ignorance——alass—oh!——Dear Sir; I cant but

* The book to which reference is here made is Bellamy's "True Religion Delineated", which was first published in Boston in 1750.

hope your Little Book will be a real Blessing to this world ——tis full of Light——Mr Hazard to whom they were Consignd, I think, has a great value for them; I gave him one, and he bought four more and promised to send them to England to his Corrispondant.

So flies thy Little Book! with Sacred rage,
O're the broad Seas; to act upon the Stage,
The Meek t'will fill with Joy, the rest asswage,
Nor Shall, The foaming Baltick blot the Sacred page.
Let England read; and then let her adore,
The dazzling Light, She Never Saw before:
London Arise! thy Sun Begins to Shine,
Now! Bless the Page that brings you Light Divine.
Nor England, Nor old Belzebub Below,
Shall the Divine Mount Atlas overthrow.
Nor Ever Shake——

Pray Sir (I had Like to forget my Self) forgive the bold adventerous muse.——

Rev'd Sir: I have not heard what the Clergy Say, of the New book: Except Mr Burr, he told me that he belived it to be an ingenious thing, tho he had not read it, but I Believe heard of it in Boston; I gave him one to read, but have not seen him Since. but those of ye vulgar, who have read it, among whom are men of note, Admire it to the Last degree, and Some of them Say, tis just as Greenman preaches. ha–ha–hee not worthy of the Charecter (?) But not to be impertinent Sir, it is a greate Confirmation to my people, for I have preacht and insisted upon many, if not all those points, Especially the greate Cando &c; which they Could not Digest, till they had read the Little Book.

I have a Lecture on wensd: Evenings, instead of preaching, I read Mr Bellamys Book to Larn them how to read it, and understand and they are well Satissfied. I understand Every Line and word (?) or Else, I dont know my right hand, from my Left; And if this is not the only true Religion; then I dont know good from Evil. I dont know darkness from Light, nay I dont know that I Exist, or that

2 times 2 is 4. But if I Exist, and if 2 times 2 is 4, then this Religion is true, for it is built upon the Same hypothesis, and is demonstrated by the Same rules.

Dear Sir: I Long to write of Some other things, but my Business at this time will not permit. I Still Live at this Lonely Solatary South-Hannover, in a poor State of health, and have as many Melancholy thoughts, as any Body in the Circumference of a thousand miles. Every thing in the visible Creation, appears of Such a perishing Nature to me, that in ye Morning I Look out and (Seeing all Nature alive) Say to my Self, ah! before that Sun has withdrawn its Light a hairs-breadth below the Horizon, ye Shall be inanimate! All of you! as, those rocks on yonder Mountain, or feel the annihilating power of the Omnipotent! You See Sir I can write no more, may the grate god of Isreal be with you, and Bless you, is the desire and prayer of

Sir, your poor unworthy Sert
NEHEMIAH GREENMAN.

South-Hannover Janry 16: 1750/1

post: Dear Sir—my unfeignd Regards to your dear Spouse: and to Nabbe Hooker if She is not gone to Heaven: all friends

[Superscribed] For the Rev'd Mr Joseph Bellamy at Bethlem in New England pr favour mr Ely. to be Left at Revd Mr Prudens.

ASHTON WARNER TO ROGER WOLCOTT.

Antigua Janry 24th 1750/1

Please Your Honor

By Order of the honourable Lieutenant General, Gilbert Fleming, Commander in Chief of the Leeward Islands, I have sent inclosed one of Our Gazettes, containing An Advertisement for Strictly putting in Execution here, An Act for regulating the Assize of Lumber to be imported into these Islands, intreating that you will cause it to be notify'd, as you shall think proper, within your Govern-

ment, to pevent Surprize upon the Importers: this Act having lain long Dormant. I am, with greatest Regards,

Yor honors,

most Obedt hble Servt

ASHTON WARNER

Treasurer of Antigua

[ ] necticut &c New London

[Superscribed] For His Majestys Service To The Honorable Roger Woolcut Esq Governor of Connecticut &c New London

[Indorsed] From Aston Warner Treasr of Antigua Jan 24th 1750

DUKE OF BEDFORD TO COLONY OF CONNECTICUT.

Whitehall 1st Febry 1750/1

Gentlemen

Mr Keene, His Maty's Ambassador Extraordinary & Plenipotentiary, to the King of Spain, having on the 5th Day of October last past N. S. Signed & concluded at Madrid, a Treaty with His Catholick Maty's Minister Plenipotentiary, And His Majesty being willing, that the same should be made known, to all his Trading Subjects, has ordered the said Treaty to be printed, and has commanded me, to transmit to you, a Copy thereof, with His Pleasure, that you do cause the same to be made publick & observed, throughout Your Government, to the End, that they may reap the Benefit of His Majesty's unwearied Endeavours, for procuring them, such commercial advantages, & avoid giving the least Ground, for Such complaint, as may, in any wise, interrupt the good Harmony, so happily reestablished between the two Crowns.

I am Gentlemen

Your most humble Servant

BEDFORD

Govr & Company of Connecticut

[Indorsed] Duke of Bedfords Letter concerning the Peace between Great Britain & Spain Feb 1 1750/1

ERASTUS WOLCOTT'S CERTIFICATE.

I Erastus Wolcott Surveyour of Land for the County of Hartford takeing to My Assistance Daniel Bissell Junr And Eppaphrass Sheldon both of Windsor who were Sworn to Make true Measures of the Lines they should Measure And Give A true Account thereof to me on the Twenty fifth day of Febry Anno: Dom. 1750/51 did Make and Perform the following Survey

We began at the Ruins of an old House in Windsor where the Antient People of Windsor told me the Dwelling house of John Bissell of Windsor formerly Stood And from thence Ran North Eight Degrees East by the Surveying Instrument two Miles two Hundred and Sixty two Rod, to the Mouth of the Brook Called Kittle Brook and from thence on the Same Course Six Miles and three Hundred and Twelve Rod, whech Ended at the north Bounds of Suffield Right opposite to the mouth of Long Meadow Brook which Emptieth itself into Connecticut River on the East Side thereof

Erastus Wolcott Survayr

JOHN SHARPE TO RICHARD PARTRIDGE.

Dear Sir

I have look'd over the Inclosed Petition which I now return you It is so very well drawn that it stands in need of no Alteration of mine and is very proper to Answer the purpose for which it is designed—I am with the most perfect Truth and Esteem

Dr Sir .

Your most Obedient and ever
faithfull humble Servant
JNo SHARPE

Monday Febry 25. 1750
directed to Richd Partridge
[Indorsed] Letter from John Sharpe

RICHARD PARTRIDGE TO ROGER WOLCOTT.

London 12 mo or Febry 27th 1750

Govr Wolcott

I have lately been informed of the decease of Govr Law of your Colony of Connecticutt and that the Choice of a Governor in his Room has fallen on thee, & therefore I apprehend it my Duty to inform thee of occurrences here which relate to that Government.

I did in my last Letter of 18th Octobr to Yor late Governor inform him of the continued Endeavours of Saml Mason in pursuing his pretended Claim in behalf of the Mohegan Indians & then sent a Copy of his late Petition to the King, a Copy of which Letter comes here inclosed since which, that Matter seems to remain without his getting forwd in it, however to put a Stop to his injuriously proceeding I have duly examined the Papers which I obtained from Solr Sharpe & drawn up a Counter petition to the King in behalf of the Colony & after having Shewed it Colo Williams & our Solr (who approved it making very little Alteration therein) I lodged it at the Council Office to be presented when ever his said late Petition comes to be taken up & consider'd, & which I flatter my Self will pretty Effectually quash his future Attempts, but the Matter must be watched that no Advantage be taken by Surprize: a Copy of my Petition comes also herewith.

I also writ Govr Law in mine of the 14th 6 mo: Augst last as folls viz: "On considering thy letter dated 25th June, & looking over the Papers that came with it, I find wanting among them, Copys of the Acts of Assembly in May 1749 & May last, as also the Case Stated & Evidence to Support it, mentioned in thy Letter to be inclosed, but are not, which therefore thou wilt please to send me as soon as thou canst, without which we cannot Proceed."

But in his last Letter to me, which was of the 17th Septr he takes no notice of that Matter, neither have I had any the least answer about it, which prevents my attempting the Solicitation Required in relation to the Boundary with the Massachusetts.

The Parliament are now sitting which began the 17th Ult: wherein there is likely to be some work cut out for us respecting the Plantations: The West India Merchts & Planters have some time since begun with us at the Board of Trade by exhibiting their Memorial in order to have a Bill formed to be brought into the House of Commons for intirely Prohibiting the Trade of the British Northern Colony's with the Foreign Sugr Islands & thereupon the Sevl Agents were Summoned to attend, wch we did accordingly: And after the Matter was Opened we insisted on time to be allowed us to Send over to our Constituants acquainting them of the Complaints that we might receive their Answers & proper Instructions how to Conduct in our Defence, before it was carried into Parliament as we looked upon that as a Natural Right; but our request was not much regarded at first, yet afterwards when we had had diverse more attendances, the West Indians dropt part of their Scheme & threw in fresh Proposals, (Copys of both which I send thee here inclosed, as also of my Letter to Jas Grenville Esqr one of the Lords of Trade) & when the Contest had contind about a Month, the Board have given the West India Gentln the go by; But its possitively said that the sd Gentleman will bring it into the House of Commons themselves by way of Petition in a Short time, agst which I have a Solr & Council retained to oppose (in concert with other Agents) a Bill that wou'd be attended with such pernicious & destructive Consequens to Trade.

It was also expected that the Matt [ ] Paper Currency in the Plantations in General wou'd also have been resumed in Parliamt this Sessions: But Yesterdy a Petition was read in the House of Commons, praying Releif in that respect agst Rhode Island only, which was referr'd to a Committee accordingly, & as Matters are circumstanced I doubt the Petitioners will carry their point but as Agent to that Colony I am Instructed to oppose a Bill of that kind if Solicited for whereby our Charter Privileges might be Infringed.

And now this may further inform thee, That since I wrote my last to Govr Law I have recd from the Pay-Masr General by Warrant from the Treasury the Money allowed Yor Colony as it was liquidated & adjusted by the Several parties who had the Examina: of the Accounts & granted by Parliament agreeable to what I heretofore advised the Govmt which is the Sum of Five Thousand & forty five Pounds Nineteen Shills & ten pence the gross Sum as set down in the Credit of my Account, which Accot comes inclosed, the Ballance whereof is Four Thousand, two Hundred & Ninety Eight Pounds, seventeen Shills & four Pence, in the Colonys favour which shall be disposed of as the Genl Assembly shall order & direct; thou wilt see I have debited the Sum of £400 reserved for future Expences in as much as there is very likely to be a call on that Acct in more Cases than one, & therefore I presume the Gentlemen of the Genl Assembly will approve there of to whom be pleased to present my Respects who am

Thy and their assured Friend

RICHD PARTRIDGE

duplicate

[Superscribed] To Roger Wolcott Esqr Governour of the Colony of Connecticutt Windsor

[Indorsed] From Collo Partridge feb 27 re March 12. 1751

WEST INDIA MERCHANTS TO COMMISSIONERS FOR TRADE AND PLANTATIONS.

To the Right Honourable the Lords Commrs for Trade & Plantations.

The Memorial of the Sugar Planters, Merchts & others whose names are hereunto Subscribed trading to and interested in his Majtys Sugar Colonies in America Most humbly Sheweth

That notwithstanding the many precautions that have been taken & the wise provisions that have been made by the Legislature of Great Britain for appropriating & preserving to it self & it's own Subjects the Trade & Naviga-

tion of all the British Colonies in America and to prevent the introduction of the Produce of the French or any other Foreign Sugar Settlem^{ts} into any of the British Plantations; it is now become apparent that all the Laws which have hitherto been made are too weak to attain that great & valuable End & that many of the Inhabitants of his Maj^{tys} Northern Colonys in America & more especially those of Rhode Island forgetting all ties of duty to his Maj^{ty}, the interest of their Mother Country & the Reverence due to its Laws have (as though they thought themselves independent on it) begun since the Peace to revive a Trade which they had but too successfully carried on before the War & made great advances towards settling a mutual intercourse & correspondence between themselves & the French Sugar Colonies in particular in order to the establishing a permanent Traffick for their Rum, Sugar, & Molasses which if not stopped must prove destructive to his Maj^{tys} Sugar Colonies impair the Trade & Navigation of Great Britain lessen the Consumption of our home Manufactures enrich the French Sugar Colonies & by consequence enable them to extend their Settlements & by degrees ingross the whole Sugar Trade to themselves.

That it will not be difficult to conceive why the Laws hitherto made for preventing the mischiefs attending such a Commerce have not answered the purposes designd when it is considered that every Law must prove ineffectual where the carrying it into execution depends upon those who are interested in the Breach of it.

That the French sensible of the Advantages which would result to themselves from such an intercourse have already settled a Correspondence in Rhode Island, established Factors there and bought & provided Vessels destined to carry on this Traffick between Hispaniola & Rhode Island, and there can be no reason to doubt but that the People in most of the other British Northern Colonies tempted by the Same Views of private gain, if they have not already entered into the same Commerce, will soon be brought to favour the French in their designs & carry on

the same Trade with all the other French Sugar Settlements in America.

That this is a Traffick not taken up by chance or casually but the result of a well weighed & concerted Plan formed or at least approved by the Court of France (as may reasonably be collected from the French King's Instructions to his Govrs in the Sugar Islands, & their conduct in consequence thereof) and intended to be steadily & regularly pursued; And if it should succeed will prove the surest & most effectual means of distressing the British Sugar Colonies & raising their own, that they could devise, For as enlarging the Vent of any Comodity is one of the best means that can be used to encourage its growth, & the lessening of it is a certain way to discourage it, & as the French are the only dangerous Competitors Great Britain has in the Sugar Trade nothing can be of more fatal consequence to the British Sugar Colonies than to suffer French Sugar to be consumed in any of the British Dominions it being obvious that this must check the Growth of Sugar in our own Islands & increase it in theirs; & therefore would manifestly tend to the Strengthening their Colonies and weakening our own.

That there are still more interesting & important Reasons for not suffering French Rum or Molasses to be imported into the Northern Colonys or any of the British Dominions than even Sugar itself—It is well known to every Person concerned in the Sugar Trade that the Profits of the Planter depend upon the Vent which he finds for his Rum & Molasses; for if Sugar only, & no Rum or Molasses could be produced from the Sugar Cane it would hardly pay the Expence of Culture & making; consequently as the Vent of Rum or Molasses is stopped or encreased, the Sugar Colonies (whether French or English) must thrive or decline. And as Rum is not allowed to be imported into Old France or any of its Colonies (because it interferes with Brandy which is the Product of the Mother Country). This evidently shows how much it is in the Power of Great Britain to check the Progress of the French Sugar Islands & ad-

vance that of our own, for if the bringing French Rum or Molasses into any of the British Dominions was once effectually stopped the great Profit arising from the Rum & Molasses made in the French Sugar Colonies would be lost to them, as they could find no Vent, or at least no considerable Vent for it in any other part of the World—This Point vigorously pursued & steadily & invariably adhered to would in its natural Tendency damp the growth of Sugar in the French Islands & increase & exalt it in our own & might very probably in the end prove a means of enabling the English to beat them out of all the Foreign Markets in Europe & confine them to their own Consumption.

That the consequences arising from this enormous Trade do not affect the Sugar Colonies only but are attended with other Mischiefs to Great Britain & even to the Northern Colonies themselves for it will appear by the Proofs to be laid before your Lordships, that great part of the Rum & Molasses bought by the Northern Colonies from the French are paid for in Specie, which must soon drain them of all their Gold & Silver, cause a Stagnation in their own General Trade, & disable them from paying the Ballance annually becoming due to great Britain. And this Com̄erce of the Northern Colonies with the French in America if suffered may likewise encourage them to Trade directly with the Foreign Nations in Europe (if they do not do so already) for all those Com̄odities which they now take from Great Britain.

That this Trade is an Evil of such a Nature that if it be not soon eradicated it will grow obstinate, take such deep Root & spread so wide that the Cure by length of time will become very difficult (at least) if not impracticable.

Your Memorialists therefore humbly pray that your Lordships will be pleased to take the Premisses into your most serious consideration & take such measures therein as your Lordships shall think will be most effectual for securing the Interest of Great Britain & rescuing its Laws from contempt & for preserving the Sugar Colonies from those fatal Mischiefs with which

they are threatened by this pernicious, illicit Trade with the French & other Foreign Nations.

[Indorsed] 1750 West India Merch^ts Memorial to the Lords of Trade Rec^d May 6 1751

BENJAMIN AVERY TO ROGER WOLCOTT.

Sir

I did, at the request of Govern^r Law and the Assembly of Connecticut, so far interest my Self in their Afairs, as to receive the Money which the Lords of the Treasury were order'd to pay that Colony on Acco^t of the Reduction of Louisburg & Cape Breton. I had the Acts of assembly Sent me, empowering & ordering me to pay that money when I had received it to such persons as Governor should give Bills upon me for it; assuring me at the same time, that so much money, as he at any Time drew for, had been paid into the Treasury there, for the discharge of so much of their Paper Currency. In this way, & with Letters of Advice to this Purport, Govern^r Law did draw upon me for three Several Sums of Money which I duely paid. I understand he is dead: I am sorry for it: I lament the Loss of him. I have lately had Several bills drawn on me Sign'd with your name in favor of Mosses Wittlesey & Capt^n Bilden, which have been presented to me by my worthy Friend M^r Storke; & this day I have a Letter Sign'd by you, S^r, advising me of Several other Bills drawn in favor of one M^r Lottrop of Norwich: But as I have refused to pay M^r Storke so I must return the other bills when they come. I can't help thinking that you, Sir, & the other Gentlemen concern'd in the Management of the affairs of the Colony must think me very regardless of my Trust, if I should pay such Sums of Money without being properly certified that you, Sir, (who are even by name a perfect Stranger to me) are chosen & appointed Govern^r, & are duely Authoriz'd by the Assembly to draw on me for this Money. Without some such Certificate as this under the Secretary's hand or the Seal of the Colony, I should think I was much defective in my regard to the Colony, as well as to my own Credit & Safety, were I

to pay those Bills, which have been or may be, presented to me.

I neither have made, design or desire to make one Shilling advantage to my Self by keeping this money in my hands. It has all along, & Still do's, lie dead in the Bank of England: & I should sincerely rejoyce to be properly authorized to pay away every penny of it tomorrow. But till I am as duely & Sufficiently warranted to pay it away as I was to receive it, I must be excused in letting it lie where it do's.

I am with great Respect

Hon^{d} S^{r} your most obed^{t} humble Serv^{t}

BENJ. AVERY.

Guy's Hosp. 5 March 1750.

RICHARD PARTRIDGE TO ROGER WOLCOTT.

London 1st mo: or March: the 7th 1750/1

Gov^{r} Wollcott

Since writing mine of the 27th Ult: viz^{t} the day before yesterday I rec^{d} thine dated the 15th & 17: Dec^{r} last with the inclosed Papers, & observe by the resolve of the Gen^{l} Assembly of 21st Nov^{r} last I am to place their money in my hands into some Bank or Banks in England where the same may be Safe & draw an Interest while it lyes there: & accordingly I intend to apply the same having already some of it in the Publick funds & shall also place out more & render acco^{t} hereafter—last Night Sam^{l} Stork sent to me to know if I woud pay about £1200: & take up some Bills he had of thy drawing on D^{r} Avery which for want of some regularity respecting his orders were protested which I did not then choose to comply with but I went to him this Morning & offered to pay them which I would have ventured to have done out of the Colonys money but he had sent away £1000: of the said Bills protested last night & could not then accept the Payment: as for the other matters of the Affairs of the Colony I refer to my foregoing Letter—who am

Thy assured Friend

R: P

9th ditto

Since my Drat of the above Letter Saml Storke has agreed to take of me the money for the £1200: Bills of thy drawing on Dr Avery & to give me up the 2 Bills with duplicates of the protests & an Endemnification which I have ventured to consent to accordingly, althô £1000: of them are returned Protested via New York, & I Shall pay him & take up the said Bills as soon as he can get the writings prepared wch will be in 2 or 3 days time, this I do to save the Credit of the Colony & the Charge that will accrue in repaying the money there on the return of the Bills wch I suppose is 20 ℔ Cent besides Interest which amounts to above £240: & doubt not this measure will meet with the Approbation of the Genl Assembly

And below is accot of what money now in my Possession for your Colonys accot is laid out in our Publick Funds at Interest for their use amounting to £2855 4 0
which with £1200 to be paid said
Stork & Co: makes in all 4055 4 0

I am as aforesaid
RD PARTRIDGE

S: Storke promised to write after the New York Ship to the Downs advising his Correspondt of our Agreement about my paying ye Bills he has of £1200

£765 So Sea Stock at 110l: 5s ℔ ct is	£843: 8: 0 ye Intt is 4£ for £110¼ ℔ [ ]
£1000 in Bank of Engld Subsr: of 1750 at 98 ℔ ct	980: 0: 0 Intt 3 ℔ ct ℔ ann:
£600 in New S S Annuitys 2d Subsr: at 101 ℔ ct	606. 0. 0 Int 3½ ℔ ct
4 East Inda Bonds of £100 each with prem: £4: 5 pr & Intt: & brokr	422:18:0 Int 3 ℔ ct
Brokera on the Stock above said 2/6 ℔ £100	2.18.0 Int 3 ℔ ct
	£2855:4:0
To be pd S: Storke in 2 or 3 days when his writings are read for Govr Wolcotts Bills as aforesaid	1200 0 0
	£4055: 4: 0

on y^e 7^th Inst the W: India Merch^ts Petition was presented at the H^o of Comons read & referrd to a Com^ee of the whole house for y^e 21^st: Inst

Col^o Williams is at present in the Country & well when I lately from him

R. P.

[Superscribed] To Governour Wolcott of the Colony of Connecticutt ℔ Capt. Fones via Boston

[Indorsed] The Agents Letter of March 1^st and 9^th 1750 Rec^d May 6 1751

ROGER WOLCOTT TO COLONY OF MASSACHUSETTS.

Windsor March 13^th 175$\frac{0}{1}$

Hon^able Gentlemen

The Borderers on the line dividing between the Province of the Massachusetts bay and Connecticutt are grown Numerous and Claim to be Governed and protected in their Rights and priviledges according as the King hath sett them in the Charters to the two Governments

This in our opinion Makes it Necessary that the place of the Dividing line between the two Governments be Legally run fixed and made Certain for their is no deneying men Right it is a stuborn thing: And as the King in this Case has by his Charters provided for all his subjects a Government to protect them according as they live within the bounds therein given so it is Dangerous for either Government to Exert force beyond those bounds

These Considerations have Led the Gen^ll Assembly of Conecticutt to make this their repeated Motion to you to Join them With Com^rs in order to the runing and Legally Ascertaining the Divisionall line between us as will appear by the Enclosed Copie of their Act of * in Which they

* The first action of the General Assembly of Connecticut at its session of October 1750 was the following:

Whereas the Great and General Court or Assembly of the Province of the Massachusets Bay, held at Boston upon the 23d day of November, 1749, appointed Commissioners to treat with such gentlemen as were or might be appointed by this government, relating to the claims of the towns of Woodstock, Suffield, End-

only Endeavour that His Majesties subjects bordering on the line may in Eacn Government be peaceably protected in their rights which being as much to the benefitt of the Province as it is of the Colony it will doubless be agreeable to you

On the 17th of December Last I wrote to you on the same subject and Enclosed a like Copie but Receving No Answer and being Informed it was Not Laid before the house of Representatives I suppose it Miscarryed by the way Which is the Occasion of my sending this I am Gentlemen

your Very Humble servt

RICHARD PARTRIDGE TO ROGER WOLCOTT.

London 1st moth or March ye 15th 1750

Govr Wolcott

I have already writ thee at large in mine of the 27th Ult: & 9th & 11th Inst concerning the Affairs of the Colony to which I refer, & therein advised thee among other Matters that I had agreed with Storke & Champion to take up & pay £1200: for that value in three Bills of thy drawing on Dr Avery which for want of his being duly Authorized by the Assembly were Protested & which Bills accordingly I have actually paid for the Honour of the Drawer & Credit of the Colony & taken proper Rects on the Protests for the same besides a Note of Endemnification to me a Copy whereof I send thee herewith which I hope will be approved off.

And now this may further inform thee that the Comittee of the Ho of Comons to whom the Petition of the

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field and Summers, to be under the jurisdiction of this government: And whereas this Court is desirous that all suitable measures may be taken for accommodating and settling the matters of difference between the two governments respecting the divisional line, on account of which the said towns make their aforesaid claim: It is now resolved by this Assembly, that Commissioners be appointed on the part and behalf of this government, to treat with such commissioners as have been appointed, or may be appointed, on the behalf of the said Province, relating to the aforesaid claim of the said towns and the matters of difference respecting the divisional line between the two governments, and to make report to this Assembly of their doings and proceedings therein.

Colonial Records, IX, 547.

Merchts of London was referr'd concerning the Rhd Island Paper Bills of Credit have on the 12th Inst. made their Report to the House & therein Lugg'd the other 3 N: E: Colonys vizt Massachusetts N: Hampshire & Connect whereby it should seem they levelled their Scheme against them also to restrain their Making & Issuing Paper Bills of Credit, & when the Bill according to the Direction of the House, comes to be brought in, wherein it shall appear to Infringe the Privilidges of our Charter it will be necessary for me to Petition agst & oppose that part of it, of which thou mayst expect to be further advised hereafter, from

Thy assured Friend
RD PARTRIDGE

duplicate

21st ditto The Prince of Wales died at about 11 o'clock last night

[Superscribed] To Roger Wolcott Esqr Governour of the Colony of Connecticutt Windsor via Bristol

[Indorsed] From Mr Partridge March 15 1751

DUKE OF BEDFORD TO COLONY OF CONNECTICUT.

Whitehall 21 March 1750/1.

Gentlemen,

It is with great concern, that I am to acquaint you, with the Death of His Royal Highness the Prince of Wales, who expired of a violent Pleuritick Fever about 10 a'clock last night, The Grief upon this Melancholy occasion is great & general; It is however a great comfort to His Majesty's faithfull Servants to find that His Health is entirely reestablished, and that Her Royal Highness the Princess of Wales, and all the rest of the Royal ffamily are as well as can be expected in the present Circumstances.

I most heartily condole with you upon this unfortunate occasion, & am,

Gentlemen,
Your most obedient
humble Servant
BEDFORD

Govr & Co of Connecticut.

[Indorsed by Wolcott] From His Grace the Duke of Bedford March 21 1750/1

WILLIAM GREENE TO ROGER WOLCOTT.

Warwick April 8th A D 1751

Sir

Since my Last to You (which was the 5th of January last past) our Commissioners have Run The Line, betwixt this Colony And the province of the Massachusets bay: as they Say According to Charter: And have Presented A plan And Jornal of their Proceedings To the General Assembly, which Seems be Very Correctly Done The Province Commissioners tho Notified Did not Appear

Capt Joseph Harinson who was the Principal Surveyer Informs me the Line Last Run is five Miles And forty rods Northward of Rhod Island old northwest Corner (So Called) And that the former Line Called woodward And Safry's Line or Stake is about four Miles And three quarters Southward of the Line last run; which is three Miles South of the Most Southerly part of Charles River.

If Your Honour Shall Think Anything of This kind will be of Service to your Government Im of opinion Mr Harinson and Sundery other of the Gentlemen Commissioners will be very Ready and willing to Oblige you, so far as they Know, Concerning The whole affare; if You Think proper Sir to Send to this Government for Mr Harinsons evidence, or Any other that You Shall Judge May be of Service to your Government I will Take Perticuler Cear that You Shall Have them as Soon as May be; if you Send please to Informe me whether You Choose to have the Seal of This Colony affixed to the Evidence or not

I Am Sir

your Humble Servant

W. GREENE

[Superscribed] To The Honourable Roger Wolcott Esqr at Windsor In the Colony of Conecticut

[Indorsed by Wolcott] From Govr Green Aprill 8th 1751

[Indorsed by William Williams] Govr Wolcott 8 Apl 1751 describing ye Line They had run &c

SAMUEL SPARROW TO ROGER WOLCOTT.

May it please Your Honr

Having lately received from Mr Jona Trumble of Lebanon, the five Bills of Exchange undermention'd, amounting to £1715 9 4 Sterling: drawn by Your Excellency, on Doctr Benja Avery who, for want of some public Testimonial: (such at least, as the Seal of your Colony from the Secretary, certifying Your being chosen Govr at such a time) refused to Pay the said Bills when they became due, which was on the 9 Instant. However, being tender of Yours, & the Colonys Honour: and depending thereon; I did not protest the Bills: not doubting of all proper care, as soon as possible, to remove Doct: Averys difficulty, and readiness to satisfy my Friend Mr Jona Trumble for all charges of Interest & Commission, in the same manner, as if the Bills had been return'd with Protest. With great respect I am

Your Honrs most Obedient and
humble Servant
SAMUEL SPARROW

London 10 April 1751

The 5 Bills referr'd to in the foregoing Letter were drawn as follow

£1115 9 4 by Govr Wolcott at Windsor on ye 27 December 1750 on Docr Benj. Avery @ 30 Days Sight to the order of Col: Jona Trumble & Col: Jos: Pitkin & Mr Elisha Williams Junr

200 drawn as above to the order of Jabez Huntington Esqr
200 Ditto do of Ichabod Robinson
100 Ditto do of Joel White
100 Ditto do of Docr Daniel Lothrop

£1715 9 4 Sterling

[Superscribed] To the Honble Roger Wolcott Esqr Governor of the Colony of Connecticut

[Indorsed] From Mr Sparow Aprill 10 1751

RICHARD PARTRIDGE TO ROGER WOLCOTT.

London 2d mo: or April 11th 1751

Govr Wolcott

My last to thee was of the 9th 7: & 15th Ult. concerning your Colonys Affairs to which I refer & now as to the Matter of Paper Bills of Credit then wrote thee about that was depending in the House of Commons, a Bill has been Since brought in A printed Copy whereof comes inclosed in which thou wilt See they have now included (besides Rhode Island which at first was only aimed at) the Massachusets, New Hampshire & Connecticutt whereupon considering the Nature of the Bill, that it would in the Shape it now Stands, interfere greatly with our Charter Priviledges especially in the last Clause of it, therefore I have got a Petition in behalf of Connecticutt drawn up & presented to the House by Alderman Tansen, a Copy whereof I also send thee & some of the Votes wherein are inserted the proceedings relating to this Affair—having also got a Petition presented in behalf of Rhode Island the day before by another Alderman of our City a Member of the House; & the 17th Inst. is appointed to take the said Bill into Consideration when I am to be heard against it by Council & are preparing accordingly, I am apt to think there will be a Smart Struggle in the House upon it but time must discover the Event.

The West India Gentlemen are also pushing forward their Solicitations in the House of Commons of their prohibiting Scheme which was introduced by their Petition as I think I have already advised thee—& the 22d Inst. is appointed for considering it, against which time we have been preparing my Petitions for the opposition & to be heard also thereupon by Council as other Agents I suppose will do also, & am not out of hopes but that we may give them a Turn, I have sent thee some of the Votes thereabout.

And as for the Affair of Mason I dont find any thing Stirring further about it yet, I advised thee that I had drawn up a Counter Petition to the King in Council & lodged it at the Council Office & since that lodged another

of the same with the Secry of the Treasury—& inclosed I send thee another Copy of it least that I sent over already shoud miscarry—& also our Solicitors Sharps letter to me of his approbation thereof, so that I hope there is an Effectual Stop put to his Solicitation, but yet it must be watched.

This may also advise thee that Meeting with another of thy Bills of £270 Sterl. in favour of Dr Lothrop which has been likewise refused acceptce by Dr Avery I have promised the possessor of the Bill upon the Protest to take it up for the honr of the drawer as I did Stork & Champions to prevent its going back—which I hope will be acceptable to thy self as well as to the Governmt there.

The Public Stocks which I have in Possessions of your Colonys are so much advanced since in value that they are worth now together near £40 more than they cost.

As to other Publick News we have lost the Prince of Wales as thou wilt See by the Prints herewith sent thee who died the 20th of last mo: Since which I dont find any alteration upon it in publick Affairs thô to be sure it is a great loss to this Nation, & now his Eldest Son George will Succeed him as Prince of Wales & Heir Apparent to the Crown—for the rest I refer to the Prints—of which I desire thy acceptance—& I remain with due Respects.

Thy assured Friend

RICHD PARTRIDGE

We are about Endeavouring to get some Encouragmt for the Importation of Pot Ash from our Plantations

This I intend shall go by the Po from Rhd Island but ye prints & news papers to be sent thee by Peter Bours Esqr by a private hand, having sent them to him to forward

[Superscribed] To The Governour and Company of the Colony of Connecticutt Windsor via Rhode Island ℔ Captt Mumford

[Indorsed by Wolcott] From Mr Partridge Aprill 11 1751 Recd June 25

ELISHA WILLIAMS TO TRUMBLE, PITKIN AND WILLIAMS.

London Welbeck Street Ap 12th 1751.

My Dear Friends

Col. Trumble's Letter of Novbr 27th Col. Pitkins of Decembr 10th 18th & 28—and your joint Letter of Decembr 31—have come Safe to Hand. The contents of which I note, and Shall do as Well as I can in what relates to ye Same. But it is very Unlucky for us, You did not take care to Send, an Authentick Evidence, under ye Secretys Hand, and Seal of ye Colony—That He was the Govr who has Signed ye Bills drawn on Dr Avery. according to the advice he has taken, he Supposes it not regular for Him to pay ye Bills for want of Such Evidence, all That Mr Sparrow & I am able to Say will not prevail upon Him to do it, nor will he take any Bond of Indemnification in ye Case, for he Sais, if he Should do it, in ys Case, he must then do the Same for others—who have Such Bills—and he will not be involved. For ye Present We Suffer yet could not but advise against the protesting the Bills, for the Sake of ye Honr of ye Colony, and the Govr, assuring Mr Sparrow, That they will have So much Honour and Justice, as to pay the Damages, and ye Interest of ye Money till it Shall be paid, as truly as if Regularly protected. He yrfore forbears protesting and writes a Lr to Govr Wolcott, by ys Conveyance agreable to wt I have now Wrote. I beg yrfore Such a Certification from ye Colony Records as above mentioned may be Sent wth all possible Dispatch. I conclude you will find no more Difficulty in ye Genl Assembly, about drawing for ye Money here in order to sink or outstanding Bills, when they shall Understand from Mr Partridges Lettrs wt ye Parliament are Doing about the Papr Currency, and what rod yy are now holding up to N England wch really would not have been, had Rhoad Island, done any thing like wt we have done for ye Sinking their Bills. The Fate of that as well as of ye Petition of ye West India Merchts an acct of wch he has also given (& yrfore I forbear it) is as yet Uncertain. There appearing no opening at [ ] for an application to Parliament for any thing farther for the regiment I was not will-

ing to throw away good Money after bad, and So it must Lye for a more Lucky Hour, if Such an one Should ever happen, The Prince of Wales's Death, (wch happened on ye 20th of March) has drawn a Dark Cloud over every hopeful Prospect.

I wrote by Captn Fones to my Son (before my receipt of yr Last) that 8 pence on ye pound Should be taken from ye Soldrs Wages, for Charges & fees, but on farther Consideration of ye Matter, I propose to you That where 12d on ye Pnd and 1 Days Wages ℔ yr wch are Stopped at ye pay office are Deducted from ye allowance of 6d ℔ Day for a Centinel, 8d for a Drumr & Corpol and 12d for a Sergt and ye Price of ye Arms deducted from Such as have witheld ym Set 25/ for a Gun, 5/ for a Cutlass, 1s 10d 2q for a Cartouch Box, & 15/ for a Drum, Then on yr Remaindr to take 6d on ye pd for defraying ye Chargs & fees, Which althô it will not answer probably for ye whole of those articles, exclusive of any Consideration for my Time yet Since we are Such Losers on or Wages, they may possibly think hard to take any more, when there must be another Deduction, of 2 & ½ ℔ Cent for receiving & ½ ℔ Ct for paying (as the Agents for ye other N England regiments here take) wch they may think may answer for my Time. I say if you think best on ye whole, to deduct only 6d on ye pd for Charges, I will acquiesse, Especialy If you will consider me Something wth regd to that article.

I hope they will be all paid by you before I get Home, Unless Such of Col. Talcotts, & Captn Church's Companys as shall not have Sold their Wages, or Choose not to receive them from you. (Note Every Drumr had a Cutlass, and I Suppose never returned any.) when all ye above Deductions are Made I Suppose you will pay them at ye Difference of ye money. The Words used in ye order, Signed by ye Lords of ye Treasury are yse For the Sum payable by the hands of Col. Elisha Williams for the Pay of the Commission & Non Commission Officers and Soldiers of ye regiment raised &c. So that I am accountable for the Pay of ye Soldrs to yr Lordships. Trust yrfore you will pay none but a Legal receiver, taking their receipts for ye Same.

I had hoped to have been on my return by this Time but So it is, as Mr Sparrow also Writes you, That or ship is not yet returned from Spain, wch we conclude has been prevented by controry Winds for Some Time (for so have ye Winds been here), we Shall make all possible Dispatch upon her arrival. My hearty Wishes for the best of Blessings on you all & yours, with proper regards and Salutations to my Friends, Concludes this from

Yr Sincere Friend &c

E. WILLIAMS

Hearty Love to my Brother, & His to whom I have not time now to Write have Wrote to Him lately by Fones

Messrs Trumble Pitkin and Williams

[Superscribed] To Coll Jonathan Trumble In Lebanon New England

[Indorsed by Trumble] Col Williams Apll 1751 No 11

GEORGE CLINTON TO ROGER WOLCOTT.

Fort George 13 April 1751

Sr

Having communicated yesterday to His Majesty's Council what Letters I had received from the Several Governors in Answer to mine of the 18 December they advised me to put off the Meeting at Albany to the 25th of June next; For those Governours that seem inclinable can not determine till their Assembli'es meet, which they write me will not be till next Month; And as there is a probability that some of them may have proposals to make in the Interim in consequence of the Resolves of their Assemblies. If your Honour have any I should be glad to be informed of them as soon as possible, I am Sr

Your Honours

most obedient

Humble Servant

G. CLINTON

The Honble Govr Wollcott

[Superscribed] On His Majesty's Service To The Honourable Roger Wolcott Esqr Governour in Chief of the Province of Connecticut at Windsor Postag 11/6

[Indorsed] From G Clinton Aprill 13th 1751.

PROCEEDINGS OF THE KING IN COUNCIL.

At the Court at S^{t} James's
the 24th of April 1751
Present
The Kings most Excellent Majesty in Council

His Majesty having been Pleased to create His Royal Highness Prince George, Prince of Wales, It was thereupon this day Ordered by His Majesty in Council, that in the Morning and Evening Prayers, in the Litany, and in all other Parts of the Publick Service, as well in the Occasional Offices, as in the Book of Common Prayer, where the Royal Family is appointed to be particularly Prayed for, the following Form and Order should be observed Viz^{t}

Their Royal Highnesses George Prince of Wales, the Princess Dowager of Wales, the Duke, the Princesses, and all the Royal Family.

And to the End, that the same Form and Order may be observed in all His Majestys Plantations in America, His Majesty doth hereby Order, that the Governor and Company of the Colony of Connecticut for the time being, do cause the same to be forthwith Published, in the several Parish Churches, and other Places of Divine Worship within the said Colony, and do take care that Obedience be paid thereto accordingly.

W. SHARPE

RICHARD PARTRIDGE TO ROGER WOLCOTT.

London 2^{d} mo: or Apr^{l} 26th 1751

Gov^{r} Wolcott

On the 22^{d} Inst. the Affair of the West India Merch^{ts} depending in the House of Commons (heretofre advised of) came on to be heard by Council before a Committee of the whole House where the Counsel in their beginning to Plead insisted on time for the Agent to send over to his Constituants to be properly instructed to defend them against the h'avy Charges laid upon them by the Petitioners, which

was replyed to by their Counsel our Oponents, & they seem^{d} to be entering into the Merits but after arguing some time on the point first proposed the Council were ordered to withdraw & the House went then into the debates whether or not the matter should be put off & time allowed as was desired—Which the Members pretty Generally were of Opinion should be granted, but then it was insisted on as a pretty deal of trouble had been taken by the West India Gentlemen to Collect their Witnesses some of whom were Cap^{ts} of Men of War, that the House woud please to take their Evidence now when they were ready at hand but that Privilege was not permitted them as it woud be of no Service in an other Sessions, & so the Cause was intirely dropt for this Sessions of Parliament—But its very probable they intend to revive it next Year, against which I desire I may have ample & Perticular Instructions here to Act therein in defence of the Colony.

I had feed Counsel only on one of my Petitions to save Charges otherwise the Expence would have been very great & the Council must have had the same Fees for every Colony, but as the same Argum^{ts} woud serve for all as for one, it was needless to run my Principals to so great a Charge

And as to the Affair of the Paper Currency Bill in the House of Commons it has been some time depending there but the Counsel have not yet gone thrô theire Pleadings & pretty Considerable debates are likely to ensue but what will be the Consequence & Event of it, time must manifest.

Since my last I have taken up thy Bill of £270 4 0 which is payable to D^{r} Dan^{l} Lothrop on D^{r} Avery & have taken a Rec^{t} for the Sum on the protest with an Endemnification as I did with Stork & Champion & I intend also to discharge the Bills of thy drawing of Col^{ns} Trumbal & Pitkins for thy honour rather than let them go back Protested having Orderd some of the Publick Stocks to be sold out in order for it, on which there will be some profit which I hope will also meet with the Approbation of the General Assembly of the Colony

I am with due respects to thy Self, Council, & House of Representatives

Thy & their assured Friend
RICHD PARTRIDGE

[Superscribed] To Roger Wolcott Esqr Governour of the Colony of Connecticutt ℔ Capt Phillips

[Indorsed] From Mr Partridge March 26 1751 Recd June 25 1751

MATTHEW GRAVES TO THE BISHOP OF LONDON.

My Lord

I hope Yr Goodness will excuse my Presumption, & impute this repeated Trouble to my Fondness of Decency & Order, & ye present Necessity I am under of Yr Lordship's Advice. 'Tis my Misfortune, in the Parish where I reside, to have a Pair (to add no more) of remarkably wicked men. One of them has married his Wife's Brother's Daughter, tho' I not only privately & separately discourag'd ye Affair; but publickly preached against such Cohabitations, both being present, before they were married. The Ceremony was perform'd, according to ye Practice of this Country, by a Justice of ye Peace, ye Laws of this Colony permitting it. The other is an old Sea-Captain, who was never baptiz'd, a swearing, bullying Wretch, & in ye Heathen's Phrase, nullâ Virtute redemptum.

These Persons, My Lord, as formerly, so on last Easter Monday were put up, by some of their iniquitous Brethren, to be officers in ye Church, which I always strenuously oppos'd; ye former because he lives in Incest: ye latter, as believing it inconsistent to permit him an officer of Christ's Church, who is not one of Xts Members. As Your Lordship's Advice & Direction are really necessary, so Your Encouragement to persevere, if right, will greatly relieve my present persecuted Condition.

I am, My Lord, by Order of ye Religious Society appointed Missionary of the Parishes of New London & Hebron; in ye latter of which one Mr Jonathan Colton has

officiously acted as Lay reader, & now intends to present himself for holy Orders. As I presume he's very unworthy that sacred Depositum, I thought it my Duty to inform Yr Lordship,

1st That his Practice has been to preach his own Sermons or Crudities; & has taken upon him to expound, in Hebron Church, by glossing & adding, ye Scriptures & Matter of Doctrine, Tho' I strictly forbid him, & sent him (for he wou'd do Duty in my Absence) the Homilies already set forth to study, read & apply for ye Confirmation of ye true Faith, & Edification of ye People, according to ye 49th Can:, but he absolutely refus'd my Injunction.

2ly In or about Sepr last he gave Notice in Church for a Parish-Meeting, to be held at one Doctor Shipman's on ye Friday following, where his whole Study & Design were, to pick up what Accusations ye Council cou'd recollect against their lawful Minister; & accordingly got three of them on ye 3d of last Jany to swear against me for some words, said to be utter'd by me in Sd Hebron in June 1748. By which Affidavits my Life was struck at, they intended I shou'd, as they said, by try'd for High Treason. But the Wraths of Man did God restrain. The originals I have presum'd to inclose.

3ly On ye 28th of Jany last he swore before a Justice of Peace in my hearing, yt he heard me say on ye 24 of Sd Inst yt I was not afraid of one Eben: Horton (whom I was oblig'd to bind over to his good Behaviour) but omitted, in his Affidavit, Those words, which I then added, viz in a publick, but a private Capacity, lest he shou'd shoot me, or knock out my Brains with a Club, behind my back.

4ly Instead of preparing himself for Orders, he is a Merchant, an Apothecary, a Farmer, & I may add an Extortioner, for which he will soon be prosecuted.

5ly He has procur'd an Obligation from about twenty Persons in Sd Hebron for the Payment of £30 Sterg ℔ Ann. for his Ministerial Duties there. As I know ye people, I'm persuaded 15 of them cannot pay him £10 Sterg: ℔ Ann. But let me assure Yr Lordship ye Obligation is to be can-

cell'd whenever he returns. This he own'd & they told me: & 'twas solely calculated to impose upon Yr Lordship.

'Tis a Contract & Promise made directly by himself with ye People, with his Knowledge & Consent, to procure & obtain ye Ecclesiastical Place, Office or Living of Hebron; which sd Obligation, Contract, or Promise, made by his Knowledge & Consent he is, when ordain'd, to make null & void, & therefore in my humble Opinion guilty of Simony, Can: 40: but I understand yt he do's not expect yt Oath will be administered to ye American Candidates. Yr Lordship's known Penetration will easily see & detect ye vile Design & Knavery of that Deed: by it he may, at pleasure, levy an Execution for ye whole Sum on what particular persons he thinks fit, & exempt ye rest. Besides, they have no Copy of ye Deed, nor any Security yt ever he will resign it. And moreover some of ye most substantial Persons in ye Parish foreseeing ye Intention have not sign'd, and many that have, condemn themselves of Rashness, and complain'd to me of their Folly. 'Tis not long since I gave one a Discharge for three Years Rates, without any Recompence; & was lately requested by another of ye Principal Signers to forgive him his Rates. So yt I doubt not to pronounce ye whole to be a Cheat, contriv'd to steal into Orders. Thus I have faithfully laid before Yr Lordship ye Impediments & notable Crimes, for which he ought not to be admitted into ye Ministry. The Glory of God, & ye Advancement of his holy Church have been ye true motives of this tedious Letter from,

My Lord
Yr Lordship's
most obedient &
most dutiful Son, &
very humbl Servt
MATT GRAVES

New-London Apl 29th 1751

[Indorsed] The 29 April 1751 Revd Mr Graves New London Answd 21st April 1752.

TESTIMONY OF JACOB FORD.

the Testimony of Jacob ford of Hebn in Hartford County in the Coloney of Conecticut of Lawfull Age Testifies and Saith Yt Some Time in Novr Last past I was in Company with mr Matt Graves, missionary of New londn in Hebn aforesd & I Told the sd Graves that Some persons in Hebn I Had Heard were agoing to Send Home to the Bishop of England a Complaint against Him the Said Graves for Treason as I Termd it or for Speaking Contemptuously of His Majesty King George & of the Nobility of England at the House of mr Penock in Hebn where I Told Him I Heard [ ] Yt He Should utter Such Words as these Speaking Concerning King George He Said one Could Seldom See him at His Chapel and of the Nobility of England they Did not Trouble them Selves much with Religion sd mathew Graves answerd me the sd ford in these words—I Could wish sd mr Graves that our King and His Nobility weare more of the Temper of Holy David who Loved to goe Up to the House of God But be it Spoke to their Shame, they are Sildom or Never Seen at Church meaning as I understood Him our Soveraugn Lord King Georg the Second and the Nobility of England Dated at Hebn in Conecticut Janr the 3rd 1750/51

Jacob Ford.

Hebn Hartford County Janr 3rd 1750/51
the above is a True Copy of the original attest
Pr me Joseph phelps Justice of peace

TESTIMONY OF JOSEPH MAN AND WILLIAM PENOCK.

Hebn in Conecticut We Joseph man and Willm Penock Boath of Lawfull age Do Testifie and Say Some Time in June in the year 1748 we Heard the Revd mr Mat. Graves misionary at New londn utter these words viz a man woud have Good Luck to See the King at His Chapel intimating plainly to our understanding that He went But Sildom to the publick worship of God and as for the Great men in

England He said they Did not Trouble their Heads about Religion: farther we heard m^r^ Graves Say, Y^t^ if he Should apear in favour of our having a minister at Heb^n^ He fear^d^ he Should Loose Ten pounds of His Salary which was aded to m^r^ Seaburys Salary for oficiating at Heb^n^ and farther he said that in Case We wou^d^ Give Him a Bond to pay the Ten pounds ourselves if the Society Should Take it from Him Y^t^ then He wou^d^ Serve us in any form y^t^ we Could Desire & farther m^r^ Graves put in Jn^o^ Bliss a Church Warden at Heb^n^ who was Never a Communicant.

JOSEPH MAN
WILL^M^ PENOCK

HEB^N^ Harford County Jan^r^ 3^rd^ 1750/51
the above is a True Copy as Attest ℔ me
JOSEPH PHELPS Justice of peace

TESTIMONY OF JOHN PETERS AND NATHAN ROWLEE.

Hebron Connecticut

Wee John Peters and Nathan Roulee both of lawfull age do testify and say that sume time in the Month of June 1748 Wee heard the Revn^d^ M^r^ Mathew Graves declare that he had Authority over the Church at Hebron some time after wee heard him say that he had Not Authority over the Church at hebron—but turning to a Man he said he would give him leave to tuck of his Ear if he did not git Authority over hebron Church In six months.

JOHN PETERS
NATHAN ROWLEE

Hartford County HEBRON, Jan^r^ 3^d^: 1750/51
the above is a True Copy of the origenal attest ℔^r^ me.
JOSEPH PHELPS Justice of peace

JOHN TOMPSON TO MATTHEW GRAVES.

*To the Rev^d^ M^r^ Graves at Newlond^n^*

Rev^d^ S^r^ we Expected you at Esq^r^ Jo^s^ Phelps^s^ thursday Last But your Not being present & Colton as I supose Be-

ing Sent out of the way Least He Should Be Examin^{d} Jur^{r} Filer & my Self pray^{d} ajournment, & it was ajourn^{d} Untill the Last munday in January they Have Sworn as is Here Exhibited: But if you Come Up at the Time of the Next Examination I think we Can make them apear as they are pray Bring these papers with You when You Come for they may Be Examined farther and we Shall be able to Shew y^{t} they are But men if they Contradict w^{t} they Have Sworn &c. Rev^{d} S^{r} Y^{r} Most

Humble and obedient Serv^{t}
JN^{O} TOMPSON

Heb^{n} Jan^{r} 5th 1750:

NEW HAVEN COUNTY MERCHANTS' MEMORIAL.

To the Hon^{le} General Assembly of the Colony of Connecticut to be held at Hartford on the Second thirsday of Instant May, the Memorial of the Subscribers hereto being Inhabitants within the County of New Haven in S^{d} Colony Humbly Sheweth that Y^{r} Memorialists many of them have been and all of them think themselves in danger of being, great Loosers & Sufferers by the Depretiation of Our Medium of trade, & fear Least the trade of this Colony be totally ruined thereby, unless the Same be Seasonably taken Care of, which under the favourable protection of the Legislative body of this Colony Y^{r} Mem^{ts} are humbly of Opinion, would Soon be in A Very flourishing State: And Y^{r} Mem^{ts} beg Leave to Observe to this Hon^{le} Assembly that Several of your Memor^{ts} induced very much by the generous & prudent measures of the Legislative body of this Colony of late years for the Encouragement of A foreign, Especially an European trade, have begun &, with Some prospect of Success, Carryd on A trade to Great Britain & Ireland, by means whereof the Inhabitants of this Colony have Already been in Some measure & probably in A few years would be entirely freed from their former disadvantageous dependance upon the neighbouring Governm^{ts} & that by means of this Said trade the inhabitants of this

Colony would Annually Save to themselves the whole Sum which importers were wont to Advance on the goods Consumed in this Colony, which trade Yr Honrs are Very Sensible must necessarily be very much hindred if not totally ruined by A Sinking Medium & so all order & proportion of Advance on goods will be very much laid aside, or the Seller unavoidably hurt and the Inhabitants of this Colony again become Large tributaries to the Neighbouring Governmts for importing their goods & not only So but the farmer also will be Obliged always to transport his produc abroad for A Market at a Considerable Expence which might be Sold readier & to better Advantage at A Market at home, & Such Market at home would be the natural Consequence of Such trade to foreign parts, and as Yr Honrs have of late years Constantly Resolved against Emitting any New bills of Credit of your own, that So the mischiefs Arising from A Sinking Medium among us might be prevented, Yr Memts humbly hope & pray that your Honrs would not Suffer the Same mischiefs to be brought upon us by our neighbours, Yr Honrs Cannot be insensible that the Colony of Rhode Island by their present Large unequal proportion of outstanding bills are Enabled Annually to buy off A great part of the produce of this Colony the Labour of an Industrious people, to the no Small Detriment of the Inhabitants of this Colony, and as Said Government of Rhode Island have Lately Ordered to be Struck A Large Quantity of New bills of publick Credit, Yr Memts must think, with Submission, that Should the Said bills be Allowed by Yr Honrs to pass in payments in this Colony, they would Soon Sap the foundation of trade & Commerce among us & introduce the greatest disorder, Confusion & injustice; Yr Memots beg Leave further to Observe that as the people of this Colony have been Long used to bills of publick Credit as a Medium & thereby become very fond of them in general & as they have not been Used to any Discount on any one Sort of bills passing amongst us, & not duly to Consider the reason of Such a discount, Yr Memots very much fear, that if Left to themselves the people of this Colony would Soon get to passing & receiving the aforesd bills Equally with our own

or any other without any discount which would involve us in very great mischiefs, Yr Memts therefore humbly & Earnestly pray Yr Honrs to take Said matters into your wise Consideration & by Statute with Severe penalties forbid the taking or passing any of Said bills in payment in this Colony or otherwise as Yr Honrs in Yr Wisdom Shall think fit prevent Sd bills passing amongst us & as far as may be privent A Sinking Medium of any Sort, that So the Cry of Unequal dealing & of injustice may not be heard in this Colony & that Every honest Art, trade & manufacture may be Suitably Encouraged & flourish and Yr Memorts as in Duty bound Shall Ever pray

New Haven May 6th 1751.

CHAUNCEY & ELISHA WHITTELSEY
DAVID WOOSTER
WILLIAM HUBBARD
AARON DAY
MANSFIELD & HALL
ELIOT & THOMPSON
Wm CABLE
TIMo BONTECOU Jr
MEDAD LYMAN
JONN ATTWATER Jur
NEWTON & BALDWIN
ALLING and HOWELL
[?] ANDREW
DANL & ELIHU LYMAN
JOEL BALDWIN
JAMES NORTON
JOHN SMITH
JOSHUA CHANDLER
JOSEPH MARSHALL
JAMES SHERMAN
JEAN HARPIN
MICHAEL TODD
FREEGIFT COGGESHALL
SAMUEL COOKE
DAVID AUSTIN
PUNDERSON & THOMPSON
DARLING & WHITING
TIMo JONES

HARTFORD COUNTY MERCHANTS' MEMORIAL.

To the Hona Generall Assembly Sitting at Hartford the Second Thirsday in May 1751.

The Memorial of us the Subscribers

Merchants and Traders in and of the County of Hartford humbly Sheweth.

That we Your Honours Memorialists have a great part

of our Substance in Trade the Medium where of is a paper Currency which from its first Emission Anno 1709 to this time has lost more than Seven parts in Eight of the Value it was then Emitted At and in the few Years Since the Memorable Expedition against Cape Breton it has lost one half its Value and the Substance in Trade of your Honours Memorialists is Sunk and lost in the Same Degree & proportion and if your Honours in your great Wisdom prevent not the depreciating of the said Medium we cannot See but it must Terminate in the Ruin of our Trade & Estates and we humbly conceive the Trade of this Colony can Share no other Fate.

And as the Medium of Trade is that whereby our dealings are valued and weighed we cannot but think it ought to be Esteem'd of as Sacred a Nature as any weights & Measures whatsoever and in order to maintaine Justice must be kept as Stable for as a False weight and a false Ballance is an Abomination to the Lord, we apprehend a False and unstable Medium is equally so it occasions as much iniquity and is at least as Injurious. We your Honours Memorialists therefor humbly Pray this Hon^le Assembly in your great Wisdom to provide that the Medium of Trade may be rendrer'd Stable for time to come and that the Just Value of our now Outstanding Debts may be Secured to us and your Memorialists as in Duty bound shall ever pray.

ALEXANDER MOSLEY*
JOHN POTWINE
DAN^LL GOODWIN
MICHAEL BURNHAM
JOHN LEDYARD
JOSEPH WRIGHT
MATTHEW TALLCOTT
ELISHA BREWSTER
THO^S GOODWIN
W^M WRIGHT
SAM^L PELTON
RICH^D WAIT
ELISHA WILLIAMS J^UR
THO^S BELDING
BENJ^A PAINE
SAM^LL TALCOTT
DANIEL LOTHROP
JOSHUA LOTHROP
JN^O LAWRENCE
JOHN McKNIGHT
ELISHA BURNHAM
ROB^T NIVINS
GEO: PHILLIPS
PHILIP MORTIMER
SAMUEL STARR
RICH^D ALSOP

* Perhaps Morley.

REASONS FOR SUPPORTING THE HARTFORD COUNTY MERCHANTS' MEMORIAL.

To Support and Enforce the Memorial from the Merchants &c in and of the County of Hartford it would be argued Viz.

That the Currency has depreciated in manner as in S^{d} Memorial is laid this needs little or no Labour to prove the price of Silver which is y^{e} alowd and only Standard in Trade throughout the World, together with the price of the produce of our Lands and all our Merchandize renders it Evident.

For the Cause of a depreciation it may be observ'd that Bills of Cred^{t} Emitted on long Periods & paying no Intrest will naturally produce it for no C^{r} is equal to prompt pay but a discount ever attends it this the Trading Interest in England well knew when the Ministry in the later end of the Reign of Anne would have paid The Fleet and Army with Exchequer Bills carrying no Intrest they denyed to Receive Such Bills untill the Ministry alow'd them an Intrest & even our own Bills would naturally have depreciated but what has mostly influenc'd to Reduce the Credit of this Colony Seven parts in Eight is y^{e} C^{r} given to the Bills of Rhod Island which have been taken at Par with those of this Colony altho they are far from being of an Equal value this at once appears by considering that from time to time their Emissions have been extraordinary great their periods of payment very long and their faith not well Supported and at this Day when the Colony of Connecticut have made Provision to discharge their Bills & most of the mony lyes ready for y^{e} purpose R. Island have nothing in Bank nor is it probable that Gov^{t} will discharge their Bills unless oblig'd by K. & Parl^{t} so that without such obligation they are of little or no Value.

It would be observd that this Colony besides the foregoing have Sustain'd other Loss & Damage by taking the C^{r} of R. Island and if the Same is permitted to continue it will occasion yet a heavier Loss.

Within about 18 months last past the Inhabitants of this Govern^{t} have Rec^{d} by a modest Computation 200,000^{ll} R: Island & N: Hampshire C^{r} mostly R: I. for which we have given our Provisions &c and which the purchasers were necessitated to buy & had this Falacious C^{r} been denyd would have p^{d} Silver (N: York at the Same time Supplyd the same purchasers with Such Commodities not so good in Quality for Silver) & even this sum wth w^{t} is due to the Colony in St^{r} mony would have been a handsom Silver Medium for a beginning but giving these Bills a C^{r} has left them in our hands instead of the Silver and should we continue to give them C^{r} they will Annually Supply us with Such a parcell for which they will drein us of some of the best Commodities in America & for want of which the Inhabitants of this Colony can't Support a Trade tis very apparent that when R: Island people can buy with their C^{r} (which costs them nothing) the produce of this Colony twill be Idle for other people who must give a Valuable consideration to attempt to purchase it thus the Trade of y^{e} Colony must decay and when we have no Trade of our own R. Island needs not come to us but the Farmer who now has a ready market & high price at his own Door will be Necessitated to Seek his Market again as heretofore at R: I. the Gall of which we trust is fresh in the Memory of many and by Such proceedure the Substance of this Colony will be Exhausted only we shall have a Vast Sum of R. I. Credit the value whereof let any Judicious men consider our Trade also will be ruin'd and when Trade decays the Wealth of a People must Perrish with it as tis a known Maxim they live & Dye together and yet further it is well worthy to be Considerd that when we have R. Island Bills in our Hands we have no way to get rid of them till our own Trade is ruind we now want next to nothing from them or New Hampshire and at other place they have no currency.

4 The Sinking of the C^{r} of this Govert will render it Indefensible to part wth our Substance & Suffer our C^{r} to run at Par wth R: I will reduce it more & more & leave

nothing in our hands but Bills of C^{r} which will not procure us either Arms Amunition or Cloathing.

5 The Sinking of the C^{r} will be doing high Injustice to all whose Estates are Embarqud therein & to Orphans in an Especial manner.

6 We have a clear Right and it is our due to be protected & deliverd from this bare faced Iniquity. One great end of Govern^{t} is to maintain & defend mankind in their just Rights & properties but to alow a Falacious depreciating Medium to be the Rule of our Trade & Commerce & that wherein our Estates in Trade must principly lye leaves us without protection as to that great end of Govern^{t} and so far we are truely worse than in a State of Anarchy for in a State of Anarchy we should have equal chance wth the rest of Mankind but here we are of Necessity defrauded

7 It would be observ'd y^{t} men of Common Sense may not be Suppos'd to Continue in Such a Trade or Suffer their Estates to remain in Such a Medium and it may be worthy the very Serious attention of the Gen^{ll} Assembly of what Consequence it will be for the Trading Intrest to be Necessitated to drop their Trade and call in their Debts what the Decay & Loss of Trade is to a people has been mentioned already but what a Convolsion Such a Demand must throw the Colony into needs here to be consider'd. There is at this Day doubtless more than Two Millions old Tenor due to the Trading Intrest in this Colony w^{ch} if at once Demanded w^{t} would be the Case of Debtors w^{t} Sums expended in Law Suits and what other difficulties must attend it. The Trading Intrest have been in Gen^{ll} as Tender in demanding their Debts as any order or Degree of Men but now obedience to the Moral Law obliges them to call in their dues unless this Assembly grant relief in the Premises indeed great Demands would have been made last Winter had not the Assembly given orders for the discharging the Debts of the Colony by Sale of the St^{r} mony &c in order as was Suppos'd to provide for a Stable Medium

ROGER WOLCOTT TO WILLIAM GREENE.

Windsor May 15th 1751

Sr

your favours of the 5th of January past and 8th of May Instant I Chearfully Acknowledge, and flatter my Self that it may be of Service for these Two Colonys that they are both awakened, at the Same time; their Interest will make them Sencible that two are better then one, and Excite them to a Reciprocall Indeavour to Rescue their Just Rights from Incroachments; And your Honours kind offer to Assist us in taking Such Evidences that we want from you perswad's me you are in the Same Sentiments;

We are prety forward in Stateing the Case to our Agent and in providing the proper Exhibits to Support it; but are much wanting of Evidences to prove where Three Miles South of the Southermost part of Charles River Terminates; and how far Woodward & Saffarys Station is Distant from it; of these facts I Shall be glad to have the Evidence from you Authenticated in the best manner:

I have therefore Sent Majr Lyman the bearer for this purpos, and value my Self much on the Incouragement you have given me that your Honr Mr Harinson and other Gentlemen with you will give him their Advise & Assistance:

I think it is best the Evidence taken with you be Authenticated under the Seal of your Colony; it is possible there may be other Evidence (proper to the Case) at present unforeseen by me and if upon Conference with Majr Lyman Such Shall Appear I Desire it may be Sent to

Your Honours Most Obliged

Very Humble Servt

For The Honble William Green Esq

[Indorsed by Wolcott] To Govr Green May 1751

RICHARD PARTRIDGE TO ROGER WOLCOTT.

* * * * * * * * * * * *

[ ] Trumbull [ ] understand now that [ ] Dr having further con[ ] of paying them when he comes to Town he being gone [ ] out £1000 of your Bank Annuitys before I knew of his Inten[ ] Stock to be sold in order for the payment, but have since Stopt my hand. There are also as I am informed 4 or £500 Bills of thy drawing in the hands of Thos Lane a Mercht here Noted for non acceptance which rather than they should go back, I have given Expectation of paying if Dr Avery should not. This I judged my indispensble duty to serve the honour & Reputation of the Governour & Colony & hope my intention therein will be acceptable.

The matter relating to Mason, seems to lay intirely dormant & no further proceeding thereon which I have been often enquiring about tho' I find he is still here in the City.

On the 15th Instant the Comons went into a Comittee of the whole House on the Paper Currency Bill heretofore advised of, wherein were diverse debates, and several Alterations made in the Bill in our favour as thou wilt see by a printed Copy of the Bill as it now Stands amended— the Comittee sat on it about 4 hours where Esqr Pelham the Chancr of the Exchequr attended the whole time & spoke several times in Support of the Bill whereby it was evidently seen they had determined to carry it through let the opposition be what it woud (as I judged) in some Shape or other, & indeed it is vastly different from what it was when first formed. The Bill is to be reported to the House the 20th Inst when I hear there are likely to be some warm debates about it again.

Sr Pr Warren was very much the New England Peoples Friend in the House to whom I deliver'd a Paper of Reasons in behalf of Connecticutt, desiring him to urge them in the House (as I had petitioned before which I advised thee of in mine of the 11th Ult.) but it seem'd plainly to me that the Court party were not for exempting either of the 4 Colo-

nys—and they think they have so altered the Bill now as to make it moderate for us.

I am with kind respects

Thy assured Friend

RICHD PARTRIDGE

Colo Williams is well I saw him 2 days ago

[Superscribed] To The Governour & Company of the Colony of Connecticutt Windsor ℔ Capt Richards

[Indorsed by Wolcott] From Mr Agent Partridge Aprill 26 & May 17th 1751

ROGER WOLCOTT TO BENJAMIN AVERY.

Windsor May 24th 1751

Sr

By a Letter from our Agent Mr partridge of the 9th of March past I had Inteligence that some of the bills I had drawn upon you on Acct of the Colony were not Accepted for want of some Regularity in your orders this was very Generall but soon after by a Letter to one of the purchasers from his Corispondent in London I was Informed that the reason was the want of the Evidence of my being Chosen and apointed Govr of this Colony

upon this Care was taken that you should be Certifyed of it and for fear of Miscarriage severall Certifycates have been sent some of which I hope will Come to your hands

yesterday I Recd yours of the 5th of March past Confirming the Intelligence I had before and that our bills would not be Accepted till you had from the Secretary received a Certifycate of my Apointment

The Necessity of such Certifycate was Descoursed in Councill when this Afair was first put into my hand. We Could None of us Remember that our Agents had been thus Certifyed of the Choice of our former Govrs and yett our business was not obstructed it was Considered that the Governmts in the plantations receive Letters of Bussiness and Advice from the Neighbouring Govrs without Examining after their Comissions. And that we had by Act of Asem-

bly secured you in paying the bills signed by the Gov^{r} upon this it was the Gen^{ll} Opinion that such Certificate was Neadless

you will Consider Sr That Inocence is alwayes Confident and sometimes to Apt to be so as it seems in this Case we did not so well Distinguish between our other business and this of Drawing Money out of your hands on which you Could not be Justifyed on your acc^{t} without produceing Legall orders and for which you might at Least be put to the Trouble of sending here for the Evidence of my Apointment, but now I hope the Certifycates sent you will put an End to the Dificulty and put that Afair in its proper order to proceed

you observe that Gov^{r} Law with his bills on you Certifyed that money to the Amount of the bills was deposited in the Treasury for the sinking our paper Curencey and to M^{r} Storke you observed you have had no such Certifycate from me

The reason of this is The Asembly had apropriated the money allowed us in Great Britain to the sinking our paper Curencey but the Money Granted Mess^{rs} partridge and williams was upon another acc^{t} therefore the Asembly deposited the like sum in the Treasury for sinking our biles of Creditt this Gov^{r} Law Certifyed to you that you might see we kept Close to our Act

But the bills Drawn by me are in pursuance of the Act of Asembly where it is provided that the Gov^{r} signe bills only for persons bringing him Certifycate from the Committee that they have Deposited bills silver &c: According to the Act for the sinking and Discharging our bills of Creditt which has been punctually observed by mee as I was obliged at my perill to do or Answer it out of my own Estate: Therefore the Act of Asembly haveing asigned the Care of this to the Gov^{r} and made you safe in paying the bills he should draw it is thought Neadless and burthensome to send you such Certifycates

The News of the Death of His Royall Highness the Prince of Wales is received here with the utmost sorow

may God long preserve His Majesties precious life and Grant that from that Illustrious house there may Never want strong rods for scepters to rule

I return you Most hearty thanks for the many Good services you have Done for this Colony and allow mee to rest secure that our wellfare will still be your friendly Care I flatter my self that as your bussiness will permitt and occasion shall offer I shall from time to time have the Honr of a line from you which will very Much oblige

To Dr Benja Averie

[Indorsed by Wolcott] To Doctr Benja Averie May 24 1751

ROGER WOLCOTT TO RICHARD PARTRIDGE.

Windsor May 25th 1751

Sr

I have recd yours of the 27th of Feby and the 7th and 9th of March with the papers Accompanying them and Laid them before the Assembly that is now sitting

The motion made to the Parliament to restrain the Trade of these Northern Colonys to the West India Islands will afect them very much if Granted you have made a very Good stand agt it I hope you will omitt Nothing to prevent such a mischeif to us you have truly observed that the produce of these Colonys is far more than a suply to ye British Islands there And if the Motion should be Granted it would Indeed enforce us to sell our produce to the Merchants in the British Islands thro Whose hands they will pass to foreigners and so the Mischeif Complained of Would not be Remedied

In your Letter I am Informd that the Complaint put into the Parliament agt the paper Currency was against that of R Island only but we have many Intimations that an Act is like to pass upon it to Inhibitt all the Governts in New England Emitting any bills of Creditt without His Majesties Instructions and that if the Charter Governts Emitt such bills it shall Enure to the forfeiture of their charters: And that the Western Governts are still at liberty as before

It is for Conecticutt only I am Concerned hopeing we shall not be Condemned to such Distinguishing severity unheard I offer in behalf of this Colony the following Considerations agt the passing of such An Act

That we live in a Cold Climate in which the Earth produceth not but in four months in a year We have not nor Can have any publick stocks of money to Enable us to raise forces in time of War

That the French at Canada are an Active and like to be a powerfull people they are alwaies hopeing and Threatening in time to drive us into the sea. In time of peace they are Endeavoring to Discorrage our New setlements up the Country and by means of their Indians often Kill our Inhabitants there by which they are in Continuall danger In time of War they Infest our Frontiers by themselves and Indians in small partyes takeing the advantage of the Wilderness to which they are Exposed and Would beat them in were it not that we Constantly maintain Many Garasons there for our Defence

That During the last War the soldiors sent from this Colony for the Defence of the County of Hampshire and our own fronteers was very Expensive

That During the last war we kept an Armed vessell fitted and provided for by us with 100 men on bord ordered to Cruize on the Coasts of this and the Neigbouring Governts which was at a Great Expence I Dont understand any of the Western Governts were at this Expence some of them had ships stationed with them at the Costs of the Crown

That we have chearfully Exerted our selves in His Majesties service in the Expeditions agt the Spanish West Indies Cape Breton and that Intended agt Canada

That by these Expences in the War we have been obliged to use our Creditt and without it we Could not possibly have performed what we have Done

That New England and New York ly next to the French and are Most Exposed to their Encursions and in time of war shall alwaies be Exposed to Great charge in Defending ourselves more than the Western Governts by

which we must be neccessitated to use our Creditt and the time that must be spent in sending to the King for Instructions may be ruinous to us

That altho for the services aforesd we have Emitted Considerable sums of paper bills yet we have taken such Care to Call them in According to the periods sett at their Emission that there has been No Complaint ag^{t} us much less a Conviction that we have Abused this liberty and now we have provided for Drawing them in much sooner than the time sett in some of the Emissions

That we that have Never Abused this liberty notwithstanding our heavie charge and are under such Circumstances as hath and will Distinguish us from the Western Govern^{ts} with respect to our Neccessity of useing our Creditt in time of War should be singled out from them and deprived of it while they are at liberty and all this put upon us unaccused and unheard is doubles more then will be done if the Case be sett in a true light before the parliament

I desire therefore that if this Comes not too late you will use your utmost Endeavor to Excuse us from this Abridgement of our priviledges and Debaring us a liberty that hath been and may be so Neccessary for us

It is with pleasure that I hear of your Care to prevent M^{r} Mason his obtaining money to Carry on his quarell with us and to the ruin of so many of His Majesties Good subjects the Management of that man is Misterious The sachem and his Tribe renounce him and his sister as appears by the papers with you if he has spent his Small Estate in Cajoleing Indians that were not nowayes (?) to signe his power of Attorney and to Carry on a Complaint so unreasonable and unjust as this is in the Account of both the partys and on which when Ever he hath been heard he hath been Condemned it is a wonder he should have the Confidence to Ask the King to suport him in it

By the Enclosed Act of Assembly you will see how Gratfully they Accknowledge your Care of our Interest in paying the bills Drawn upon Doct^{r} Averie to the sum of £1200 I Desire you will charge the Acc^{t} of the Colony with

that payment According to the Direction of the Act and Discharge Mr Stork from his obligation to you I have wrote to Doctr Averie on this subject and hope that upon my letter the Dificulty will be over

The Massachusetts make us no Answer to our Motion to setle the line by Comissrs Thus they Keep us Lying upon our oars and it is possible are in the mean time Endeavering to surprize us at Court which I hope you will be very Carefull to prevent I hope to send you the Case with the Evidence in a month or six weeks and the reason why you have not had some records you mention is because I shall send the whole Case to you then

The Death of His Royall Highness the Prince of Wales fills us with the uttmost sorrow and on which our hopes of His Majesties Long life and what we place in his Royall posterity are our suport

When any thing is done in the Asembly with respect to your acct with Mr palmers Executors I shall Give you an Acct of it be pleased to Accept of my thanks for the papers you sent mee and be Asured that I am

your very Humble servt

R WOLCOTT

To Richard Partridge Esqr

P S By the Enclosed Copie of the Act of Assembly relating to your Acct of Disbursements you will see how Gratefully the Assembly accept and aprove of your Conduct To which for your further direction I refer you and am Sr

R W

[Indorsed] To Richd Partridge Esqr May 25 1751

ROGER WOLCOTT TO COMMISSIONERS FOR TRADE AND PLANTATIONS.

Windsor May 28th 1751.

My Lords

There is in the Town of Killingworth and County of New London, a furnace for makeing of Steel Erected theire in the Year 1744, with a forge to worck with a Tilt Hammer

Erected there in the year 1746. Both Continue in Use the owners are Jared Eliot Benjamin Gale and Aron Eliot. There is in the Town of Wodstock and County of Windham a forge to worck with a Tilt Hammer. Erected there in the Yeare 1742 it Continues in Use the owner is David Wallis.

There is in the Town of Plainfield and County of Windham a forge to Work With a Tilt Hammer Erected there in the Yeare 1732, it Continues in Use the owner is William Dean.

There is in the Town of New-London and County of New London a forge to Work with a Tilt Hammer Erected there in the Yeare 1747. it Continues in Use, the owner is George Sheffield.

There is in the Town of Stonington and County of New-London, a forge to work with a Tilt Hammer, Erected there in the Yeare 1732. it Continues in Use, the owner is John Dean.

There is in the Town of Groton and County of New-London a forge to work with a Tilt Hammer Erected there in the Year 1747. it Continues in Use the owner is Thomas Pelton.

There is in the Town of Saybrook and County of New-London a forge to work with A Tilt Hammer Erected there in the Yeare 1732. it Continues in Use, the owner is Samuel Williams.

There is in the Town of Norwich and County of New-London a forge to worck with a Tilt Hammer Erected there in the yeare 1748 it Continues in use the owner is Elijah Backus. This Certify^{d} to Your Lordships by

Your Most Obedient

Very Hum^{ble} Servant.

To the Lords Comisn^{rs} for Trade & Plantations.

[Indorsed by Wolcott] Certifycate to the Lords Com^{rs} for Trade and plantations May 28th 1751 of furnaces &c in Conecticutt

JOSIAH WILLARD TO ROGER WOLCOTT.

Boston June 8. 1751

Sir,

Mr Fitch (a Gentleman of your Colony) acquainted me that Your Honour had sent a publick Letter or Letters (directed to me) respecting the Towns lately challenged by yre Governmt. Which Letter or Letters were intended to be laid before our General Court: Upon Recollection, Inquiry of my Clerks, & careful Search among my Papers, I cannot find that any Letter upon the Subject above mentioned has ever come to my Hand, since the Death of Governr Laws.

I am Sir,

Your Honours most obedient

Humble Servt

J. WILLARD

The Honble Governr Wolcott

ROGER WOLCOTT TO JOSIAH WILLARD.

Windsor June 17th 1751

Sr

On the 17th of Decr past I sent the Enclosed letter and Act of Assembly. Collo Trumble took Care of its Conveyance but hearing Nothing from you I Enquired of Collo Trumble if the Letter was gone he told mee he had sent it to Boston with a Letter of his own by the same hand and had an Answer to his. Nevertheless on the 13th of March I had prepared to send it again but upon further Con[ ]f the Evidence that the letter was delivered and Calling to mind that Govr Law had Complained that some of his Letters on this subject were Not answered I forebore sending lest the Legislature of the Province should think us burthensome and Impertenent to press a Motion upon them to which they had by their Neglect of it so often shewn their Aversion

And now Concluding the Province Would hearken to no such propossalls I aplyed my self to prepare the Case with the Evidence which has been at Considerable Trouble and Expence

yett meeting with Mr Fitch at Hartford I desired him to know from you if you had recd my letter and Inform mee. this has produced yours of the 8th Instant Informing mee that you have Not upon this I herewith send it you Again and altho I am surprized to find my Letter failed in the passage yett it Gives me much satisfaction that an Amicable agreement between the Two Governts is not beyond all possibility to be Efected as before I thought it was the motion on our part is still the Same and if Closed with the Province I hope it may succeed to a friendly setlement

But however the Legislature of the province may think best to Act upon it a line from you that you have received this will very much oblige

your Very Humble sert

R WOLCOTT

To Josiah Willard Esqr

STEPHEN HOPKINS AND MATTHEW ROBINSON TO PHINEAS LYMAN.

Providence June 28th 1751

Sr

Yours of the 6th Curt to Mr Robinson We acknowledge the receit of, & during the Session of Our General Assembly, it was laid before them, together with such other Matters as were tho't necessary to bring abo't the desir'd End of setling our Northern Boundary between the Province of the Massachusets, & after Consideration the General Court tho't fit to appoint Capt Joseph Harrison & us to be a Committee, investing us with full power to join wth the Colony of Connecticut in all such Measures as should be tho't best to settle our Comon Line with the Province, & to do all other Matters most conducive to effect the right Settlemt thereof, a Copy of the Vote We shall send by the first Conveyance to his Honr Govr Wolcot

And in order to have the Business managd to the greatest advantage for Us both, We think it best to have a Congress, either We or some of us are ready to wait on your Assembly or Committee appointed or to be appointed as his Honr your

Gov^r shall please to direct, & to meet at such time & place as shall be by them appointed in order to settle the Method of Operation, & all other things necessary, in the mean time shall wait his Hon^rs or your Answer & are

Your most h^ble Serv^ts

STEPH. HOPKINS

M. ROBINSON

Copy of the answer sent to M^r Ph^s Lyman in Suffield

[Indorsed] Copy Lre to M^r Phineas [ ]

WILLIAM GREENE TO ROGER WOLCOTT.

WARWICK July 1^st 1751

Sir

At the Time of our General Assembly Seting in June Last we Rec^d a letter from the province of the Massachusets by which they Inform us that it is the Determination of their General Court to Stand by the agreement made betwixt the Colony of Rhode Island, and that province in the Year 1710: having no regard to anything that has been Acted in that affare Since: upon which our General Assembly have Appointed, Stephen Hopkins Esq^r Cap^t Joseph Harinson, and M^r Matthew Robinson, a Committee to procure all Such evidence as they Shall think proper, and Draw up A State of the Case in order to Lay Before our General Assembly at their Sessions to be held The third Munday in August Next for their farther Determination Thereon. And our Committee are Directed to Confer with your Government, or with Such persons as are or Shall be appointed for that Purpose And as Your Government And this Colony Seems to have a good Understanding at present, I Hope we Shall Do every thing In our Power to assist each other in this perticuler

I Am Sir Your Honous

Most Obedient Humble Servant

W. GREENE

[Superscribed] To The Hon^ble ROGER WOLCOTT Esq^r Governour of The Colony of Conecticut at Windsor

JOSIAH WILLARD TO ROGER WOLCOTT.

Boston July 2. 1750

Sir,

I have received your H[ ]ors Letter Dated the 17th of June, with the inc[ ]d Papers; Which I shall lay before the Gener[ ] Court of this Province when they meet; Which w[ ]ll not be till the second of October next.

I am still more surprized at the Account, you give, of your Letter being accompanied with one from Coll. Trumball; of which, you say, he has received an Answer, Not having the least Remembrance of any Letter I have received from him. However my Memory is so much broken by Age & Sickness that I dare not depend much upon it. I wish our two Colonies, whose Interest is so much linked together, had maintained a better Union in their Councils, I am persuaded Nothing will be wanting on your Part to restore it. I am with great Respect,

Sir,

Your Honors most Obedient

Humble Servant

J WILLARD

The Honble Governr Wolcot

JOSEPH HARRISON AND MATTHEW ROBINSON TO ROGER WOLCOTT.

May it please Your Honr

This Governmt being lately inform'd by Mr Lyman of Suffield that your Honr the Deputy Govr & himself were appointed a Comittee to forward the Settlemt of the Line between your Governmt & the Province of the Massachusets Bay, & that you had power to treat with this Colony & to join in all such Measures as should be most conducive in setling that & our North Boundary Line between the Province & this Colony: Since that Information, Mr Lyman wrote to Mr Robinson one of our Comittee appointed to transact that Affair, which has been answer'd by Mr Hopkins & Mr Robinson, a copy of which Answer accompanies this for your Honr's use.

Inclos'd We transmit to your Hon^{r} a copy of the Vote of Our General Assembly appointing M^{r} Hopkins & us a Comittee to do all things proper to the right Settlem^{t} of that Line, & to correspond with your Governm^{t} in all suitable Methods.

When M^{r} Robinson was at Providence last Week where M^{r} Hopkins lives they tho't best to answer M^{r} Lyman's Letter as your Hon^{r} will see by the Copy of it.

Now We beg leave to assure your Hon^{r} that We shall wait your Answer to let us know where & when you & the Comittee think it best that We or some of us shall have the pleasure of meeting you & them, in order to settle such Methods of Conduct as may be most convenient to obtain a final Settlem^{t} of this our com̄on Demand of the Province & put an end to any further Strife about that Matter as soon as may be, & in the interim We are

Your Hon$^{r's}$

most obed^{t} hble Serv^{ts}

JOSEPH HARRISON

M^{W} ROBINSON

Newport Rhode Island July 4th 1751.

To his Hon^{r} Gov^{r} Wolcot

[Superscribed] To The honble Gov^{r} Wolcot in Connecticut

[Indorsed] From Mess^{rs} Harison & Robinson July 4 1751

RESOLVE OF RHODE ISLAND GENERAL ASSEMBLY.

June 20th 1751

To the House of Magistrates

Gent.

Resolved That Stephen Hopkins Esq^{r} Cap^{t} Joseph Harrison & M^{r} Matthew Robinson together with such others as shall be appointed by the Upper House be & they are hereby appointed a Comittee to examine into all the Circumstances & other Matters of Fact relating to the Northern Boundary Line of this Colony with full power to procure all such Evidences Records & Papers as may be thereunto necessary, and to Correspond & join with the Colony of

Connecticut or a Comittee by them appointed if it be found most expedient in the prosecution of that Affair; And upon the whole to prepare as compleat a State of the Case as they are able & to lay the same before this Assembly at their next Sessions, or as soon as the same can conveniently be done

Voted & past
℔r ordr
J Lyndon Cler

In the House of Magistrates
June 20th 1751
Read & concurr'd with & no one is added to the Comittee by this House
by ordr
Tho Ward Secry

A true Copy exd by
Tho Ward Secry

[Indorsed] Copy Vote of the Gen'ral Assembly of the Colony of Rhode Island.

[Indorsed by Wolcott] R Island act of Assembly June 20 1751

THOMAS HILL TO COLONY OF CONNECTICUT.

Duplicate.

Whitehall, July 9th 1751.

Gentlemen,

Three Acts having been passed in the last Session of Parliament, wherein the British Plantations are concerned, vizt

An Act for continuing several Laws therein mentioned, relating to the Premiums upon the Importation of Masts, Yards and Bowsprits, Tar, Pitch and Turpentine, to British-made Sail-Cloth, and the Duty payable on foreign Sail-Cloth, and to the Allowance upon the Exportation of British-made Gunpowder.

An Act to regulate and restrain Paper Bills of Credit in His Majesty's Colonies or Plantations of Rhode Island

and Providence Plantations, Connecticut the Massachusets Bay and New Hampshire in America, and to prevent the same being legal Tenders in Payment of Money.

An Act for encouraging the making of Pot Ashes and Pearl Ashes in the British Plantations in America.

I am directed by my Lords Commissioners for Trade and Plantations to send you the inclosed printed Copies of them,* for your Information and Government in the several Matters therein contained. I am,

Gentlemen,

Your most obedient

humble Servant,

THOS HILL

Hon^ble^ Gov^r^ and Company of Connecticut.

RICHARD PARTRIDGE TO ROGER WOLCOTT.

LONDON 3^d^ mo: or May 22^d^ 1751.

Gov^r^ Wolcott

I wrote thee last of the 17^th^ Inst. since which D^r^ Avery is come to Town, & I understand now refuses to pay any of thy Bills so upon the Possessor of them Sam^l^ Sparrow acquainting me of it I have promised to pay to the Value of £1700 of them when Legally Protested for the Hon^r^ of the drawer & of the Colony—& tomorrow I am to pay Storke and Champion another of thy Dra^ts^ under Protest of £111.

I am just come from the House of Comons & find that the Paper Currency Bill was likely to be put off for about a week & then I am apt to think it will pass with the amendm^ts^ as I send thee ℔ this Conveyance.

I have sold out some more of the Colonies Stock this day on which there will be some Profit—S^o^ Sea Ann: which

*Two of these Acts, those relating to Pot Ashes and to Naval Stores, both printed in London in 1751, each having a separate title page but paged continuously from 1105 to 1116, are in the possession of the Society. They are no doubt the identical copies which were inclosed with this letter, for each bears the indorsement in Wolcott's handwriting "Recd Sep^r^. 28 1751." These three Acts were officially reprinted by Connecticut during the same year in an edition of 80 copies. Each has a separate title page; but they are paged continuously from 1 to 16. A copy of the reprint is in the Society's library.

Cost 101 are worth 102¾ ℔ Ct & So Sea Stock which Cost 110¼ ℔ Ct is worth 114 ℔ Ct this not yet Sold.

I am Thy assured Friend

R: P:

3d mo: 24th Do.

Since the foregoing which went via Rhode Island, Dr Avery is come to Town from the Bath, & refuses now to pay the Bills of thy drawing in favr of Colo Trumbal & Colo Pitkin &ca so I have agreed to pay to the value of £1700 of them on the Protests besides one Bill I paid yesterday to Storke & Champion in favr of Dr Dan: Lothrop of £111 12 in honr of thy Drat & have begun to sell out more of the Stocks of which I believe I make near £60 more than the prime Cost of them only about 1 ℔ Ct off for Comissn in Selling & paying the Bills (to be deducted) the said Stocks having advanced so, since they were first bought.

The Bill in the Ho of Comons about Paper Currency is appointed to be reported in the House the 31st Inst, with the amendmts when there is likely to be more debates on it as advised thee already—I am as above

R. P.

London 5th mo: or July the 1st 1751

Govr Wolcott

The foregoing are Copies of my last to thee since which I have disposed of the So Sea Stock at 115¼ ℔ Ct which amounts to £39: or thereabts more than the price charged at to the Colony & have paid 5 more of thy Drats on Dr Avery under protest vizt

To the order of Colo J: Trumble, Colo Jos: Pitkin & Ela Williams Junr	1115	9	4
Ichabod Robinson	200		
Jabez Huntington	200		
Joel White	100		
Danl Lothrop	100		
Charges of Noting & protests	2	11	3
	£1718	0	7

And intend to pay some more which I understand are here in London under the same circumstances rather than they shall go back protested.

The Parliam^{t} broke up the 25th Inst: when they were prorogued at which time, the King as usual made a Speech to both Houses, a printed Copy whereof comes inclosed in the Gazette as also 2 Acts of Parliam^{t} one relating to Paper Currency in the four New England Governm^{ts} which for some time I opposed Streneously, but it was very obvious that the Ministry were determined to carry it through, that I think it would but have aggravated them further, if I had continued my opposition, but now it being considerably altered & the Sting of it taken out, I hope it will not be attended with any great Injury when all circumstances are considered.

The other Act is for the encouragment in making Pot Ash in the Plantations by taking off the Duty which is £6 ℔ Tun or upwards which we hope will prove beneficial to them, & also an Act for revival of Bounty on Naval Stores w^{ch} expired at y^{e} End of this sessions of Parliament.

This I intend ℔ Col^{o} Williams who goes over ℔ this Conveyance to, New London, that Gentleman I must do him the Justice to say has been eminently Servisable in your Colonys affairs here in attending the Several Offices in his applications towards adjusting the acco^{ts} & obtaining payment in the Affair of the Canada Expedition without whose assistance it would have been impossible for me or I believe any body elce here to have accomplished it so well as we have done, thô far short of our due. And I am apt to think y^{e} whole or most p^{t} of y^{e} last ye^{r} pay due to y^{e} Regim^{t} had been cut off if he had not been here.

he was also of great Service in his assistance to me in the Affair of Mason by giving me such Suitable & necessary Informations as it would have been otherwise impossible for me to have found out whereby I am now in great hopes all the said Masons Schemes, & Endeavours, to prejudice the Colony, will be baffled & intirely prove ineffectual.

And as to the Act just now passed for the Encouragment of making Pot ash he was ꝑticularly helpfull therein by appearing before the Co̅mittee of the House of Co̅mons where he gave as I apprehended Such just & rational Informations which I believe was Satisfactory to the Co̅mittee & contributed to the forwarding that Act.

I could say more in favour of this Gentleman concerning his Endeavors whilest here in the Service of his Colony by his advice & Information to me in the Case of the dispute about the Boundaries with the Massachusetts (which at present lyes dormant here) & also of his Assistance & concern in the matter of paper Currency whilst the Bill was depending, but let this Suffice, & that I think considering his thorough knowledge in the Governmts affairs his coming over was very opportunely & well Judged.

There are lately some alterations in the Ministry, the Earl of Granville is appointed President of the Council in the room of the Duke of Dorset who is going over Ld Lieut of Ireland, Earl of Holderness made Secry of State in the Room of the Duke of Bedford & Lord Anson first Commr of the Admiralty in the room of Lord Sandwich. for the rest I refer to the prints herewith sent of which I desire thy acceptance & remain with due respects to thy Self & the Gentlemen of the Council & House of Representatives

Thy & their assured Friend

RICHD PARTRIDGE

we have made no applica to ye last Sessions of Parliamt for making up the deficiency of the Regiments pay because there was not ye least prospect of Success in Such an Attempt

the Parliamt have passed ye Act for altera of the Stile wch I send thee herewith:

10 ditto

Since writing the above I have paid Storke & Champion Two more of thy drats on Dr Avery being protested this day 1 for £190 0 0 in favour of Dan: Goodwin & the other £200 0 0 in favour of Nath Whiting: & I have accepted another of £200 but cant remember who it is payble to—and

also agreed to pay an other of £45 or £46 in favr of John Lediard if not pd by the Dr

all wch I hope will be Still agreeable

R: PARTRIDGE

[Superscribed] To Roger Wolcott Esq Governour of the Colony of Connecticutt Windsor ℔ Capt. Wade

[Indorsed] Agent Partridges Letter May 22 1751

THOMAS LANE TO ROGER WOLCOTT.

London ye 10 July 1751

Sr

This will God willing be delivered you by Collo Williams with whom I have had Opportunity of drinking Success to your Colony & do esteem him a very worthy Gentleman. I heartily wish him well over & a Happy sight of his Friends. I take the Liberty of acquainting you that I am possessed of the following bills drawn by your good Self on Doctr Benj: Avery on account of the moneys granted by Parliament to your Colony for their Expences in ye Expedition against Louisburg & which have been remitted me by Sundry Friends. Vizt.

200 dated ye	3 January	payable to	Mathew Talcott
200 dated ye	2 February	payable to	Do
150 dated ye	6 Do	payable to	Thos Goodwin
100 dated ye	6 Do	payable to	Samuel Starr
100 dated ye	6 Do	payable to	Jos: Wright
100 dated ye	18 March	payable to	Alex. Walcott
200 dated ye	12 Do	payable to	George Philips
150 dated ye	3 Aprill	payable to	Ralph Isaacs
150 dated ye	3 Do	payable to	Jos: St John
186 2 ye	3 May	payable to	Mathew Talcott
100 dated ye	4 Do	payable to	Wright Thompson
315 17 4 ye	9 Do	payable to	Samuel Talcott

Which bills are protested for non Payment Doctor Avery not having had Advice in Form of your being appointed Governor of Connecticutt but as I may very shortly

expect that you will take Care to transmit to ye Doctor, such Satisfaction as he may require from you I shall not return ye bills but keep them by me till they are paid but as Doctor Avery intimated to me yesterday that he shou'd only pay the Principall of the said bills I shall let you know hereafter ye Interest & Charges that may be due on ye said bills, hoping you will in Justice to the proprietors of them order payment thereof

I sometime since returned with Protest your Draft of the 27 December to Mr Daniel Lothrop ℔ £209 not being then so well acquainted with the Circumstances that occasioned the postponing ye payment of your Drafts but as I have ye second bill by me Intend to demand payment of it with your other bills & if the Doctor pays it me it will save your Government ye Expences of Interest & Reexchange as Opportunity offers you shall hear further from me in the Interim I salute you & remain with Tenders of Service & best Respects

Sr Your most humble Servt
THOS LANE

P S. Since writing ye foregoing I have received a Message from Doctr Avery informing me he woud pay yor drafts on him so presume he hath received ye Requisites required.

The Honble. Roger Wolcott Esqr

[Indorsed] From Mr Tho Lane July 10 1751 Recd May 5 1752

RICHARD PARTRIDGE TO ROGER WOLCOTT.

24th Do.*

The foregoing is duplicate of my last last† to thee ℔ Colo Williams who went Passenger with Captain Wade. This now serves to acquaint thee that Dr Avery has lately begun to pay thy draughts on him & yesterday he repaid me for the 12 Bills of thy drawing which I had paid for the

* July 24, 1751.
† July 1-10, 1751.

Hon^{r} of the Drawer amounting to the Sum of Three thousand Six hundred Eighty seven pounds 3/4^{d}: which I shall Credit the Colonys acco^{t} with, exclusive of the £200 Bill & £45 Bill mentioned in my last (which he has paid)—but refuses to pay the Charges of noting, protesting and Interest I intend to buy in Stocks again with the Colonys money to make some advantage for them, but at present the prices are pretty high so am advised to wait a while in expectation that they may be lower

I am as before
R^{D} PARTRIDGE

[Superscribed] To Roger Wolcott Esq^{r} Governour of the Colony of Connecticutt Windsor ℔ Cap^{t} Hussey via Boston

[Indorsed] From M^{r} Partridge July 1st 10th 24th Recd Sep^{r} 28 1751

ROGER WOLCOTT TO JOSEPH HARRISON AND MATTHEW ROBINSON.

Windsor July 25th 1751

Gentlemen

Yours of the 4th Instant is Come to my hand and upon Examining the Act of our Assembly find Coll^{o} Fith* our Dep^{t} Gov^{r} and Major Lyman Were apointed to Asist mee in prepareing and stating the Case about the line but no Direction to Join with your Comittee as your Asembly has proposed

But I am of opinion your Assembly have thought very well upon it two is better then one and as we Are not nor are likely to be provided with the Evidence of the Distance of Woodward and Safrys two from the souther most part of Charles River but as we may have it from you who I understand have prepared it so it is possible there may be something in what we have prepared that may be of service to you and since the Case of both Govern^{ts} are much alike I think it is best we should Concert by Comittees: but this

* Thomas Fitch.

must rest with the meeting of our Assembly in oct° Next when I shall Lay the matter before them in order to their Consideration and am

Gentlemen

your very Humble servt

R WOLCOTT

To Messr Joseph Harison Mw Robinson

RICHARD PARTRIDGE TO ROGER WOLCOTT.

London 5th mo: or July the 26th 1751.

Governr Wolcott

I wrote thee last of the 1st 12th & 24th Inst. concerning the Colonys Affairs the two first ℔ Col° Williams & the last with duplicate of the 1st via Boston ℔ Capt Hussey to which I refer, yesterday I recd thy acceptable Letter dated 25th May with the 2 Votes of your Genl Assembly whereby I observe their approbation of my Conduct in their Service; & I do gratefully acknowledge their Regards to me therein, it giving me great pleasure to find so generous a disposition in Gentlemen in whose affairs I have embarked, when my Endeavours meet with their acceptance & I hope always to Act so as to merrit the Continuance of their Esteem by my Zeal & Diligence in serving their Interest according to my best ability—which thou wilt be pleased to acquaint them of.

I observe the very good arguments urged in thy Lettr concerning the Affair of the late Attempt of the West India Merchants, & the Matter of Paper Currency which being now over & the Sessions of Parliamt at an End for this Summer, I refer to my former Letters & to Col° Williams for Informatn thereabout.

As to Mason I dont find anything at all is Stirring at Court further in his business, poor man I see him now & then, who appears but mean & I beleive things are very low with him.

I note what thou sayst about the matter relating to the Controversy with the Massachusets, & if no accomodation can be come into with them (which to be sure woud save a

great dreal of time & Expence) I shall be expecting the necessary papers thou mentionest, & when I am fully Instructed with the assistance of my Lawyers, exert myself for the Colonys Interest towards obtaining a just determination & in the mean time, take care that we dont Suffer any disadvantage by Surprize—which indeed I think there is no manner of danger of,—as it is impossible for them to make any Progress here in the Cause exparte.

And now as I had sold out all the Colonys Stocks in our Publick Funds (except 4 India Bonds) for paying several of thy Draughts on Dr Avery for the Honr of the Drawer & also of the Colony, I have drawn out my Accot thereof, having been paid the money again on the 23d Inst: by Dr Avery amounting to £3687 5 4 as I advised thee in mine of the 24th Inst: only he refuses to pay the Charges of Protests & Interest of any of the Bills because of the Trouble thô it is as legally due as the principle, Sevl of which Charges I had given my word to pay which thou wilt find charged in my accot—which account I send inclosed—& I intend to buy in Stocks again for accot of your Colony when they are a little lower which its expected they will be shortly but at present are pretty high

I am Thy assured Friend
RICHD PARTRIDGE

[Superscribed] To Roger Wolcott Esq Governour of the Colony of Connecticutt Windsor ℔ Capt. Oliver
[Indorsed] Recd & forwarded by Sr yor Most Humble Servt J: Ledyard
from the Agent July 26 1751 Recd Octo 6 1751

GEORGE CLINTON TO ROGER WOLCOTT.

New York 29th July 1751

Sir

The Commissioners present at the late Treaty with the Indians at Albany delivered me a Letter on the 10th Instant just before my Departure from thence to which I told them I could not then give a full Answer but would refer it to the

Council on my Arrival here which I have done and now inclose you a Copy of their Report

I am Your Honours
very Humble Servant
G CLINTON

The Honle Governor Wolcott.

THOMAS LANE TO ROGER WOLCOTT.

London ye 31 July 1751

Sr

On the other side you have Copie of what I wrote you by our friend Collo Williams* since which Doctor Avery has paid ye 12 Sets of bills mentiond therein but without ye Charges of Noting for non Acceptance & non payment which at 5/ each amounts to £3 which sum I desire you will direct ye payment of at your leisure & therein you will much oblige

Sr Your most humble Servt
THOS LANE

[Superscribed] To the honble Roger Wolcott Esqr Governor of Connecticut in New England Via Rhode Island ℔ Capt Bull Q D C

[Indorsed] Alexr Lane July 31 1751 Recd oct 15th

BENJAMIN AVERY TO ROGER WOLCOTT.

Sir

I am favord with your Honor's Letter of the 24 May; & had, some little Time before, reced a Certificate, under the Seal of the Colony, & sign'd by the Secretary, which abundantly satisfied me, that your Honor was appointed Governor. I then immediately sent for as many of the Gentlemen as I knew, who were possess'd of any of those Bills; & paid them their Money amounting to 8,348ll 4s 8d. Besides this, your Honor, I perceive, is apprised, that I paid Three Bills drawn on me by Governr Law amounting to 725ll. In

* Letter of July 10, 1751.

the above-mention'd 8,348ll 4s 8d is included 3687ll 5s 4d which I paid Mr Partridge. For, as soon as he heard I began paying, he brought the Several Bills he had paid for the Honor of the Colony, which, at his request, I took up, & gave him so much of the Colony's money for them.

I have accepted many more of your Bills to the Amount of 3,233ll 12s 2d which I shall pay as they become due as most of them will before Augt expires.

I doubt not your Honor will take the necessary Care not to overdraw me. The Colony's as well as my Credit would suffer by that. I should hope 2 or 3000ll might be left undrawn, till the Accot is liquidated, that I may have it in my Power to rectify Mistakes, if any should happen. And as soon as the Account can be settled, I shall hope for your Honor's Order to pay over the Balle to your Agent Mr Partridge or to any other Person who shall be impower'd to give me a full Acquittance in the behalf of the Colony; with which Order I shall readily comply.

When I undertook to receive this Money from the Treasury, & pay it away to the order of ye Colony or it's Governr, I did it out of pure regard to Conecticutt; & hoped, that, on my declining the Agency, I should have had orders to have paid the whole Sum at once to the person appointed Agent in my room. In which case, my Trouble would have been little more than a frequent & tedious Attendance on the Persons in Power to procure it. And they who have experienc'd what that is will not account even that a little Fatigue. But for this, I have often said, I had no expectation or Desire of any Recompence from the Colony: though I herein sav'd them Sixpence in the Pound which was at first demanded, & which in such a Sum would have amounted to some Hundreds of Pounds. This is a fact of which Mr Rd Partridge is not ignorant. But as I have had a continual Trouble from Febry last, in giving Answers to people that have come with these Bills, & have been obliged to attend many Days for the purpose of accepting & paying them, when no other Business confined, or called, me to Town; & as I have religiously, though perhaps need-

lessly, Scrupled the making one Shilling Advantage or Interest of this Money since I receiv'd it, I cannot think that your Honor or the Colony will judge it reasonable that I should have no Consideration for my Trouble: When any other person who had undertaken & done this, would, if I am rightly inform'd, have charg'd, & must have been paid, Two & a Half p Cent for Comission.

I am very Sensible my not having accepted your Honor's bills, when they were first tender'd to me, must have occasion'd an Expence to the Colony, as well as prov'd an inconvenience to the persons particularly concern'd: For both which I am heartily sorry: But can't however take the Blame of this on my Self. All my Friends concern'd in Mercantile affairs, whose advice it was natural for me to ask, assured me, that I acted just as they should have done, had the Case been their own; & that I could not prudently & safely have acted otherwise.

My worthy & highly esteemed Friend, Coll° Williams, (who, with his Lady, will, I hope, be safely with you by that Time this reaches your Honor's hands,) will be able, &, I dare say, very ready to assure you of my affectionate Regard to the Colony; & my Concern for their Interests both civil & religious. I have from Time to Time done what I could for their Service; & shall always be ready to advise & assist their Agent in any of their Concerns; in which any little Interest I have, either in the City, or among the People in Power, may be tho't likely to stand them in any Stead.

The Death of the Prince of Wales was, as your Honor justly observes, a Startling & an affecting Stroke: but we have great reason to be thankfull to the kind Providence that has hitherto watch'd over his Majesty's Life; & That Heaven has given him the Wisdom & Goodness to make so prudent & kind a Provision for our Safty & Welfare in case of his Demise; and that we have reason to hope that his important Life may Still have some years added to it. God grant it may be lengthned out in Mercy; and that Prosperity Still attend this Countrey, the British Colonies, & particularly that of Connecticutt.

I would beg the favor of your Honor to make my Compliments to any to whom I may be known in those Parts, & that you would assure yourself that I am, with great Respect,

your Honors most Obed^{t}
faithfull humble Serv^{t}
BENJ. AVERY.

Guys Hosp^{l} 31 July 1751.
[Indorsed by Wolcott] From D^{r} Averie July 31: 1751

ROGER WOLCOTT TO GEORGE CLINTON.

Windsor Aug^{t} 6th 1751

S^{r}

I Acknowledge the favor of yours of the 29th of July past with the Report Enclosed

The Gentle^{n} of your Councill object that the motion made to your Excellency at Albany by the Comissioners from the other Govern^{ts} to introduce Missionarys among the six Nations of Indians was not well timed there being No fund setled for their suport and for that the last time it was Moved was Just as your Excellency was putting your foot in the sirrop* as it were. To return home but the thing it self they highly aprove as most Conducive to His Majesties Interest and a means to prevent the Indians from being seduced from our Alliance by the French priests

The main point being thus Agreed to I hope there will be no Dificulty on Either side upon account of the Different opinions that may have been with Respect to the time and Method of proceeding in it. but then we may all proceed to Carry on this Important Afair to efect

If a Question should arise who should first move in it I would propose that since these tribes live in the Bosome of the Province of New York and have their Constant Intercourse there if it may not be proper for the Legislature of that Province to move first in it. if you should first begin

* Evidently a slip of the pen for stirrup.

and move it to the other Governtˢ I doubt not of a Chearfull Complyance

It is with the Greatest satisfaction that I reflect on the Good understanding that has subsisted between your Excelency and this Colony Ever since your Arivall into this Countrey and since you are now Returning to Great Britain I wish your Excellency a prosperous voyage and safe arival there thus I remain

your Excellencys
most obliged
very Humble servᵗ
R WOLCOTT

To His Excellency GEORGE CLINTON Esqʳ

RICHARD PARTRIDGE TO ROGER WOLCOTT.

LONDON 6 mo: or Augˢᵗ the 9ᵗʰ 1751

Govʳ Wolcott

I wrote thee of the 12ᵗʰ 24ᵗʰ & 26ᵗʰ Ult: of the Colonys Affairs to which I refer this comes principally to acquaint thee that Capᵗ Elihu Hall arrived here last Night & brought me duplicates of thy last dispatches with a letter directed to said Hall concerning the Case of Elizᵗʰ Newbury the Widow of Capᵗ Roger Newbury & desired my Assistance therein upon which I went this day to the War Office, where I was well acquainted & there found that there is about 2 years Bounty due to her in Arrears of £26 a year that Edwᵈ Brice has not been at the Office at all, & where to find him I cant yet tell—and therefore I have got a proper Letter of Attorney drawn up which I send here inclosed for her to execute before two witnesses after the Blanks are filled up to be acknowledged before a Justice of Peace & Certified by the Govʳ under the Colonys Seal & here is also a form of a Certifficate for the Widow to make Oath to, & to be signed by her where this Mark ⊙ is—before a Justice of Peace—to be signed also according to directions in the under part thereof of which there must now be 4 all of the same Tenor & date which will be Sufficient & send me ℔ first Opportʸ & I will

freely & Chearfully endeavour to serve her without any Comision or Poundage; please to Note the payments are, as long as She remains a Widow & ceases when she marrys, & are due 3 times in the Year vizt 24th of April 24th of Augst & 24 Decr & when she makes out any Certifficate for the future let it be done soon after one of those Terms happens.

I now also send to my Friend Gideon Wanton of Rhode Island a good Parcell of Printed blank Certifficates to be sent her ℔ a private hand to keep by her agst she may have occasion

I am with due Respects
Thy real Friend
R: PARTRIDGE
duplicate

I intend to enquire after Hepbourn concerning the money of Capt Jno Newbury that was left in his Chest when he died

[Superscribed] To Governour Wolcott of the Colony of Connecticutt Windsor

[Indorsed] Agents Letter about Mrs Newberrys affairs

[This letters carrys a wax seal bearing an impression of the Partridge arms: Chequy argent and sable; on a bend gules three escallops or.]

ROGER WOLCOTT TO RICHARD PARTRIDGE.

Windsor Augt 15th 1751

Sr

I wrote to you on the 24th of May past to which I Refer you

And now I Acknowledge the Receit of yours of the 11th and 26th of Aprill and of the 17th & 24th of May and the papers Accompanying them as also the Magazines &c you were pleased to favor me with

I am Informed by yours of the 24th of May that Doctr Averie still refuses to Accept the bills of Exchange drawn upon him this unhapie Dificulty has made the Colony your-

self and the purchasers a Great Deall of Trouble but I hope it is removed before this time

By a Letter from him the dificulty is occasioned by the Want of a Certifycate from the secretary of my being Apointed the Govr the secretary has sent him severall Certifycates and on the 24th of May I wrote to him on that subject these writtings Coming to his hand will doubless open the Way for the Acceptance of the bills

your Exerting yourself on this occasion to take up the bills that Were Not Accepted and theirby to secure the Honr and Interest of the Govr and Company was very kind and prudent by the Act of Assembly Enclosed to you with my last you will see the Gratefull sence they have of your Good Conduct therein and your undertaking the payment of the other bills you mention will doubtless be by them received in the same manner When I Come to Lay your letters before them at their next sessions

And here I must not omitt desireing you to give my service to Mr Samll Sparrow of London who by his letter of the 10th of Aprill has Informed me that altho Collo Trumbles bills were not Accepted yett he did not protest them but waits till the Dificulty with Doctr Averie should be removed this I Acknowledge was kind and Ingenious in him and had the other Corispondants done the like they would have served the purchassers better then hastily to protest the bills since it was well known that we wanted not Creditt with Doctr and that the Dificulty would Easily and soon be removed

It is well the Afair of the West India Merchants is put by at present and very likely they will revive it since it tends to put so vast an Advantage into their hands on the Ruines of these Northern Colonys; here suffer mee to Give my thoughts on this Afair not only as it will Afect His Majesties subjects in these Colonys but Great Britain itself

These Collonys are seated in a Cold Climate where the Earth is Covered with snow four Months in the year Excepting Near the sea Where the Land is sometimes bare in those months but the Weather very Cold in such a Countrey The

Inhabitants must be Cloathed warm and it is Impracticible To keep sheep therefore our Woollens we must have from our Mother Country What our Consumption is of the British Woolen Manufacture is well known at home and it must Encrease or the people perish as we fill up and settle Northward Beside we have the Neighbourhood of the French at Canada and Missasipi a Large Countrey and Greatly Encreassing these by their Missionarys with the Indians suteing their Religion to their politicks have Drawn vast Numbers of the Indians to their Religion and Aliance by Whome they often Murther our Inhabitants in the Advanced setlements in time of peace they alwaies Confidently Expect in a short time to be masters of the whole Countrey and in time of War will put us hard to it

Altho these Colonys being very large the produce they Can spare is vastly more than Can be Consumed in the British sugar Islands yett they are of that sort they will not sute to make returns home saving some Tobacco and Rice raised in some of the Most Western plantations. But our produce will sute to trade with all to the West Indies for Gold or silver by which we have been Enabled in some Good Measure to pay the vast debt we Annually ow to our Mother Country for their Woolens and to have some Money or Creditt to withstand the French in time of War

But if we are once Debared of this Trade or have it Confind to the British sugar Islands only The Consequence is Apparent those Islands have no need of nor Can Consume a tenth part of our produce and when once they have Gott the Monopoly of our Trade they will pay us no money but Barter off our produce to the foreign Islands for their Comoditys and send us home with them at their own price this will quench a spiritt of Industry in the Countrey wither our Trade with Great Britain and Cause us to perish with the Cold or power of the French and all this to Enrich a few West India Merchants

The matter being of this Consequence your Endeavours to prevent it will be Accepted with due Esteem I shall and when I have oportunity to Lay your paper before

the Asembly you may Expect to receive their further Instructions

What you offered to have Conecticutt Exempted out of the bill for restraining paper Currency is much according my thoughts about it sent you in my last and I hope it has taken Efect but I supose the matter is Determined before this time as you observe the bill is much moderated to what it was

I hope you have Done the Business for Mr Masson but he has some Designe in Tarrying in the City which will require your Constant look out

I heartily thank you for the Magazines &c we favored me withall and am Glad to hear of Collo Williams health and Espousall to so fine a Lady I ow him a Letter but have forborn and still forbear writting Expecting to see him here Every Day

I am
your very Humble servt
R WOLCOTT

[Indorsed] To Richd Partridge Esqr Augt 15th 1751.

ROGER WOLCOTT TO PETER WARREN.

Windsor Augt 15th 1751

Sr

When I had the Honr to wait upon you at Cape Briton I often heard you Express your Tender Regards for New England and by a Letter from our Agent Collo Partridge I am Informed that you Exerted your self and Parliament according to those sentiments in the Afair Wherein their Interest Was Concerned. for this and these personall favors you have been pleased to Grant mee I return you my Thanks

Capt Elihu Hall is Gone from hence to Great Britain he is a Gentleman Well Descended of a Good Charactor and Business here your Good Countenance towards him I shall take as a favor to myself I am

your very Humble servt
R WOLCOTT

To Sr Peter Warren

EARL OF HOLDERNESS* TO COLONY OF CONNECTICUT.

WHITEHALL 26th August 1751.

Gentlemen,

The King having been pleased, upon the Resignation of his Grace the Duke of Bedford, to appoint me to be His Majesty's Principal Secretary of State, for the Southern Department, I must desire that you will address your Letters to me for the future; and you may be assured that I will be very punctual in laying them before the King, and in transmitting to you such Instructions and Orders, as His Majesty may think fit to give for your Guidance and Direction. I am

Gentlemen,

Your most obedient
humble Servant
HOLDERNESSE.

Governor & Company of Connecticut.

[Indorsed] From the Earle of Holderness Augt 26 1751

RICHARD PARTRIDGE TO ROGER WOLCOTT.

LONDON 6 mo: or Augst 30th 1751

Govr Woolcott

Since I writ the last of the Colonys Affairs of 26 Ult. I have laid out the foll. Sums of the Colonys money Vizt

5th mo or July	30	Placed in Bankers hands for 2 mos at 3½ ℔ Ct ℔ Ann	£2000
6th mo or Augt	7	£350 Bank Stock bot at £139⅞ ℔ Ct & 2/6 ℔ Ct & Brokr	190
		Interest 5£ ℔ Ann for £140	

* Robert D'Arcy, fourth earl of Holderness, was born in 1718 and succeeded to the title four years later. After having served as ambassador to the republic of Venice and as minister plenipotentiary at the Hague he, on June 21, 1751, succeeded the Duke of Bedford as one of the principal secretaries of state, and on the same day was sworn a member of the privy council. Later he had charge of the northern department. In June, 1757, he resigned his office; but resumed it a few days later, presiding over the southern department. He was dismissed from office in March, 1761, but was consoled with a pension of £4000 a year. He died in 1778, when the barony of D'Arcy and the earldom of Holderness became extinct.

Dictionary of National Biography.

30th 150£ ditto bought at 141 ℔ Ct	211 10		
Interest ditto			
Transfer & Brokr	15 9	212 5	9
30th £ SSo Stock cost 115£ ℔ Ct	575		
Intt at £4 ℔ ann on £115			
Brokr	12 6	575 12	6
And 4 India Bonds of the Old			
which I have in hand		425 14	
Interest at 3 ℔ Ct			
		£3703 12	3

when I recd the money for the Bills I had paid for Dr Avery wch were drawn on him; publick Stocks seemd to be pretty high so I forebore laying ye money out again expecting they wod be lower, but finding it not altogether according to expectation I let out £2000 for 2 months at 3½ ℔ ct it being supposd Stocks wd be cheaper in the Fall of ye year as usual & bought besides, some Bank & South Sea Stocks as ℔ the above accot, and if they shd fall anything considble I intend to lay out more for the Colony therein

as to the affair relating to Mason I find my Petition has been referrd to a Committee of Council to consider ye matter and make Report, and Mason gives out as if we must be heard by his & our Counsel thereupon before ye said Committee, but I somewhat question whether he will attempt it; if he shd I shall be duly on the watch & together with my Solr and Counsel exert our Selves for the Colonys Interest

I am with due respects
Thy assured Friend
RICHD PARTRIDGE

[Superscribed] To Roger Wolcott Esqr Governour of the Colony of Connecticutt ℔ favour of Lt Lyman
[Indorsed] From Agent Partridge Aug 30 1751

REPORT OF COMMITTEE OF THE GENERAL ASSEMBLY.

To The Honourable General Assembly of the Colony of Connecticutt, to be Convened at New Haven The Second Thirsday In October A. Dom: 1751.

We Your Honour's Comittee Appointed to Audit the Colony's Accounts with The Treasurer Take Leave to Report

That we find The now outstanding bills of Credit of This Colony, (Errors Excepted) To be In old Tenour

£340,218 18 7

We also find in The Treasurer's hands, In Silver & Gold —The Silver at 8s ℔ Oz. & The Gold at £5 17 6 ℔ Oz The Sum of £1756 19 3

We also find in the Treasurer's hands In bonds due To The Governour & Compa In old Tenour £8086 14 4

We also find in The Treasurer's hands In bonds due To The Govr & Company In old Tenour bills of Credit of This or The Neighbouring Governmts £5856 7 9

We also find bonds due in Silver at 8s ℔ Oz ℔ bonds for Interest 1,789 7 7

All which is submitted by Your Honour's

Obedient Humle Servants

Hartford Septemr 6th 1751

Wm Pitkin
Jonth Trumble
John Chester
Thomas Welles

BENJAMIN AVERY TO ROGER WOLCOTT.

Honoured Sr

I hope you reced mine, which I desir'd Messrs Storke & Champion to forward to you in the beginning of Augt. By that I acquainted you that I had reced the necessary Satisfaction, that your Honour was chosen Governr (on which I heartily congratulate both you & the Colony) & that I had begun to accept & pay the Bills you had drawn on me: I have now paid to the Account of 12,306ll 16s 10d pence (including the 725ll which Gov'nor Law drew on me in his Time) & I have had farther presented to me Bills to the Amount of 735ll 9s 4d which shall be paid as they become due.

But there is one Thing that has Stagger'd me in the course of this Affair, & given me no little uneasiness

Among others, there is one Capt^{n} Nath^{l} Shaw, in whose Favour you have drawn on me for 100^{ll}: The Bill & Letter of Advice are dated 17 Apr. 1751. at Windsor: The first Bill of the Three of that Set of Bills came to me properly indors'd by Nath Shaw & I accordingly paid the 100^{ll} to the Serv^{t} of Mess^{rs} Drummonds Bankers at Westminster. It was not only indors'd by Nath. Shaw but under his name by one John Woddel .

Sometime after M^{r} Alex: Grant sent me a Second Bill, which being of the Same Date, y^{e} same Value & payable likewise to & indors'd by the Same Nath^{l} Shaw I took to be the Second of y^{e} Same Set & I refused to pay it, giving M^{r} Grant's Messenger in answer, That I had already paid the first bill of that Set of bills & I shew'd him the bill which I had paid. I thought this a Sufficient Answer, & I imagin'd M^{r} Grant would have acquiesed in it as Such: & would have look'd to M^{r} Shaw, or the person who had Sent him the Bill, for Satisfaction: But, instead of that, He first noted the bill (thereby unkindly enough putting me to the farther needless Expence of half a Crown;) & then sent me, together with that Second Bill, a First Bill of the Same Tenor indors'd likewise by Nath^{l} Shaw to him the said M^{r} Grant. And when I saw that, I thought it would not well consirt with my own or the Colony's Credit to refuse or defer Payment: concluding that there must have been two Sets of Bills of 100^{ll} Each given to Cap^{t} Shaw of the Same Date. And yet as it appear'd somewhat unlikely that your Honour should give Two Sets of Bills on y^{e} Same day for the Same Sum to y^{e} Same Person, I cannot be quite easy least there has been some Mistake, I hope no Fraud, in this Matter: and therefore I thought it incumbent on me to give you as early Notice of this Matter as I could, that your Honor might look into it; & get what information you can from Cap^{n} Shaw relating to it. If he has paid in there but 100^{ll} he has had 200^{ll} p^{d} here to his order & for his Use. If he has paid in 200^{ll} there, all is right & as it should be. And it

would give me pleasure to know that there is no Mistake. I shall hope for y^e^ favor of a Line on this Subject, when your House has had Time to inquire into it.

I heartily wish your Honour Health & all Happiness; & Prosperity to the Colony.

I am with great Respect
your Honor's most obed^t^
faithfull humble Serv^t^
BENJ. AVERY

Guy's Hosp^l^ 10 Sept^r^ 1751.

JOSIAH WILLARD TO ROGER WOLCOTT.

Boston Octo^r^ 11. 1751

Province of the
Massachusetts Bay }

Sir,

Herewith you have the Resolutions of the General Assembly of this Province for encouraging the Indians of the Six Nations to come & settle among us. You will thereby see that these Resolutions are communicated to you in Confidence that your Government will lend their Aid & Assistance in forwarding this Design.

You cannot but be sensible of what Importance it is to secure those Nations to the British Interest & more especially at a Time when the French are making use of all their Arts to engage them in their own.

The Juncture appeared so critical that had we attended all the Formalities of consulting with you upon it previous to Our Determination, there would have been great Danger of losing the Opportunity entirely, but We shall always be ready to concert such Measures with you as may be further necessary to carry this Design into Execution, & should be glad you would appoint a Committee to Join with Ours in the Conduct of it

By their settling among us we not only secure their Friendship, but gain an Opportunity of sending the Gospel among them, which Our Christian Character engages us to

embrace with Chearfulness. And the readiness with which you lately undertook a part in the Charge of Educating some of their Children, makes us strongly rely upon your Undertaking likewise a proportionable part of the Expence of this Affair.

Mr Hollis of London has engaged for the Maintenance & Education of 24 Boys, & the Society there for propogating the Gospel in New England &c. have as appears by their Letter of the 10th July last to their Commissioners here, made a Prevision for the Maintenance & Education of 10 Girls for one Year by way of Tryal, saying "it is to be hoped & may be reasonably expected, that as We have begun this Affair, The Gentlemen in both the Provinces of the Massachusetts & Connecticutt will extend this new Design for the General Good, far beyond what can be expected from Our Company."

Your Honour is desired to lay these Matters before your Assembly, that so we may be informed of your resolutions thereupon as soon as conveniently may be

By Order of the Great & General Court
or Assembly of the Province aforesaid
J. WILLARD Secry

The Honble Roger Wolcott Esqr

ACTION OF MASSACHUSETTS GENERAL COURT.

At a Great & General Court or Assembly for the Province of the Massachusetts Bay, begun & held at Boston the 29th of May 1751, & continued by Prorogation to the 2d of October following.

October 9. 1751. Jacob Wendell Esqr from the Commee of both Houses on the Affair of the Mohawks &ca settling in this Province gave in the following Report, vizt

The Committee appointed to take under Consideration that Paragraph of his Honours Speech respecting the Western Tribes of Indians &ca together with the Report of the Comee respecting that Affair, report as their Opinion,

That a Committee be appointed to contract for a Quantity of Land, of the Contents of about three Miles Square including the Hop Lands, lying within the Township of Sheffield, & agree for an Equivalent in Province Lands, or otherwise as they shall judge best. That there be two Schools built at the Charge of the Governmt wherein the Indian Children may be instructed, one for the Boys & another for the Girls, that the House built for the Boarding School be finished; in which the Master of the Boys School may live together with the Boys under his Care, It being expected that the Girls will be boarded at Mrs Sergeants in Case she undertakes to keep the School. That the maintenance of the Indian Children in said School, both as to Cloathing & Dieting, be at the Expence of the Governmt except so far as is provided for by Mr Hollis, or by the Corporation for propagating the Gospel. That there be two English Youths put into the Boys School, in Order to learn the Indian Tongue, that so they may be qualified for future Service to the Government among the Indians, to be boarded at the Expence of the Governmt. That Mrs Ashley be retained as an Interpreter, who, together with her Husband may also be employed in the necessary Services of the Family; And that there be an expert and industrious man procured to manage the Husbandry on the School Lands, & instruct the Youths therein, & that proper Utensils therefor be provided.

That Provision be made for the Subsistence of the Mohawk Families, together with what they may be able to supply themselves with by Hunting, untill they shall be able to raise something upon the Lands to subsist themselves: That a Letter be wrote to the Governmt of Connecticut, informing them of the Measures taken by this Governmt for securing the Six Nations to the British Interest, as well as for their Instruction; And that We hope and expect they will join in them & contribute towards the Expence.

That this Court do agree to the Proposals of Sir Peter Warren of appropriating the Sum of Seven hundred Pounds

Sterling in his hands for the Education of the Mohawk Children, & that he be immediately advised thereof, & desired to transmit the same, & that it be let out at Interest, & the Interest be applied to the Purposes aforesaid.

That a Letter be wrote to M^r^ Hollis of London (who has employed Cpt^n^ Kellog to support & educate a Number of Indian Children at his Expence, that he be informed of Measures taken by this Governm^t^ for the like Purposes, & desired to appoint one or more Trustees for the Management of his Charity, to act in Concert with such Persons as may be appointed by the Government in carrying on said Design. And

That a Comm^ee^ be accordingly appointed by this Court to carry into Execution the foregoing design, that they be impowered to receive such Donations from time to time as may or shall be offered for the Encouragem^t^ & Support of said School: That they have the Inspection & Regulation of the same, & the Managem^t^ of all the Prudentials thereof, subject to such Directions and Instructions, as they shall receive from this Court from time to time; said Comm^ee^ to be accountable & to be rewarded for their Service

JACOB WENDELL ℔ Order

In the House of Represent^ves^ Read & Accepted—In Council Read & Concur'd—Consented to by the Lieut^t^ Governour

Copy as of Record, Attest J WILLARD Secry

October 10. 1751.—The two Houses proceeded to choose by joint Ballots three Gentlemen for managing the Affairs of the Indians of the Six Nations coming to settle within this Province;—and the following Persons were duly elected to the said Trust by the major Vote of the Council & House of Represent^ves^

Joseph Dwight Esq^r^—Joseph Pynchon Esq^r^—& Capt^n^ John Ashley

To which his Honour the Lieutenant Governour sign'd his Consent.

Copy as of Record, Attest^n^ J WILLARD Secry.

EBENEZER PUNDERSON TO ROGER WOLCOTT.

GROTON: 12th Octobr 1751

May it please your Honour

For many years past I have meet with great Difficulty & much expence In Recovering & often in vain attempting to Recover the Taxes taken from my parishioners in Some particular places As E: Middletown, Union, Windham, E: Haddam wheras at Middletown Wallingford, Guilford &c my Discharges have been accepted and the Money I appropriate to ye forwarding their Chhs. These Difficulties Oblidged me (finding no Releiff here) to Complain to the Venerable Society whose Itinerant Missionary I am (tho unworthy) part of their Answer was in these words

Charter House Oct: 24. 1750

Revd Sr

"Your Letter dated N Groton 25 Jun: 1750* hath been laid before the Society We took Notice & were well pleased with your Dilligence in propagating ye Gospel; And they will do what they can to protect all the Members of our Chh from oppression both in Connecticut & Every where else: Tho to say ye truth this Violent Oppressive Spirit shews it self at present only there, And the Several Complaints & papers relating to it are now under Consideration In order to put the most Effectual Stop to it. &c

Since wc ye Revd Mr Gibbs† has receivd (in Answer to his Complains of the like nature) an Assurance of the Societys Surprize at the Conduct of this Goverment towards their Missionaries and the people who Submit themselves unto their Care, &c and Order him to receive to his Pastoral Care any who are dispos'd to submit themselves unto it even in Cornwall 40 Miles distt & that they are resolv'd to protect both him & them from further Abuses & Indignities.

That ye Gathering Storm might be Averted, or at least not prejudice the Priviledges of this Government in which

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* This letter of Mr. Punderson's is printed in Hawks and Perry's *Documentary History of The Protestant Episcopal Church*, vol. 1, page 262.

† Rev. William Gibbs of Simsbury, a Missionary of the "Venerable Society," was subjected to much ill treatment by officials of the "Standing Order."

I live & its Wellfare heartily desire: and therefore would entreat your Hon^r to prope to the Assembly y^t the Statute made in favour of the Professors of y^e Chh of England, in Words might be as universal as in Reason & Sense

Notwithstanding this ancient maxim among Civilians Ubi lex est Specialis, et Ratio generalis generaliter est accipienda yet this Statute has been made use of to the great expence & trouble of the Ministers of y^e Chh of England who are by profession Messengers of peace, & to whom nothing is more troublesom than these vexatious Suits. And as y^e taxes of 4 or 5 of the Professors of the Chh of England under my Charge are in y^e hands of y^e Collectors y^t I might be put to as little trouble as possible in Recovering the Same. I presume your Honour knows that next to y^e good Providence & Blessing of Almighty God I am by y^t Venerable Board recommended to y^e Countenance & favour of y^e Honourable y^e Governor &c

I am with Great Respect

Your Hon^rs most Dutifull & Obedi^t Serv^t

EBENEZ^R PUNDERSON

P: S^t. Would your Hon^r favour me with a Line p^r Bearer, as I am oblig'd to write soon to y^e Society; I should gratefully acknowledge y^e favour and am Ut Supra.

[Superscribed] To the Honor^ble Roger Wookcot Esq^r Govern^r of his Maj^s Collony of Connect^t In New Haven

[Indorsed by Wolcott] from M^r Punderson Oct 12 1751

REPORT OF COMMITTEE OF THE GENERAL ASSEMBLY.

To the Honourable General Assembly Now Sitting

We your Honours Committee Appointed to take into Consideration the Matters contained in Doct^r Benj: Avery's Letter Laid before the Assembly and to Request our Opinion thereon take Leave to Report that we Judge it to be proper that his Honour the Governour be Desired to Write to Doctor Avery and Signify to him the grateful Since the Assembly hath of his generous purposes to Serve us in un-

dertaking the Trouble of Receiving the Money which he hath Received for this Government as also that his Kind offers of his good offices in our favour on any future occasion are thankfully accepted and that Sutable Caution will be used not to over Draw him as he hath hinted and that this Assembly Shall Readily allow him Reasonable Satisfaction for his Care and Service in the Matters aforesd and take Due Care for his Discharge on the Liquidating his accounts all which is Submitted by your Humble Servants

New Haven Octo: 1751 — Thos Fitch
James Wadsworth.
Stephen Lee.
Jabez Fitch

In ye Lower House

The above Report Read Accepted and Approved and ordered to be Transmitted to ye Honble upper house

Test Jno Fowler Clerk

In the upper House the above report read accepted & approvd

Test George Wyllys Clerk

[Indorsed] Comtees Report on Matters referred to in Doctr Avery's Letters Octr 1751 p l h p u H 31 p m

REPORT OF COMMITTEE OF THE GENERAL ASSEMBLY.

To the Honourable General Assembly Now conveened at Newhaven

We your Honours Comtee haveing considered what our agent Mr Partrige hath drawn up in order to answare the West India Mercts in theire memorial layed before the Honle House of Commons, in Relation to the Trade of the English Colonys in North America, with the French &c in the west Indies

and we have likewise considered what his Honour our Goverr hath wrot to our sd agent upon that Subject, and Supose much more can't be aded but we would Humbly propose, that Since there is an act of parliament that

oblidgeth all persons that Ship Suger or Molases to give bond that the Same Shall be landed in Some of the ports under the British Crown, thereby to prevent Such Goods being Sold to forriners, for what could be got, was wanted by the British Subjects, and Now to enact that forrain made Suger &c Shall not be brought into the Northern Colonys Seems to be contrary to the entent, of the above mentioned act, and certainly will Inhance the price of those Goods, Not onely here but in Greate Britain. and Since we have No Silver nor Gold but what we Import from those places, that the s^d^ mer^ts^ would prohebit us trading too it must certainly follow if Such an act takes place, two Inconveniences will attend it viz^t^ that we Shall have no money to buy woolin Cloth in Greate Britain, and those Goods we cant No way live without, and our people are far Ingaged in the west India trade and have maney vessells that are not for other business, but carrying Horses &c and in those vessells there must be great loss if our trade be crampt, and maney persons put out of theire business and have nothing to Subsist themselves & famelys, and yet No advantage accrew to the Nation, we Supose that those mer^ts^ and all other persons will allow that the British Suger Colony do not make a Suffeciencie of Suger &c for the Consumtion of the Nation, and we Supose what the Mer^ts^ aime at, is, that they may have the opertunitie of buying those Goods of forreners and have the advantage of Selling the Same at theire own price and that the Governour signify to our Agent that he make the best Defence he can in Case the affair of the west India Merchants come on again and that these hints and all other Matters he may be advised will be usefull to be urged in the Case, and that his Accounts in Defending there in so far as concerns this Colonys Proportion will be honourably Discharged.

And as to M^r^ Agent Partrige's account we Supose there is an error in the Same which is to be Rectifyed in favour of this Colony, amounting to the Sum of £422: 18: 00. and as to the Rest of the s^d^ account, we think the Same to be right, and may be accepted by the assembly, and that s^d^

agents conduct in our affairs, (as far as we can understand the Same) is to be Aproved

all which is Humbly Submitted

By your Humble Servants

New Haven Octo. 1751 — Thos Fitch
James Wadsworth
Stephen Lee
Jabez Fitch

In ye Lower house

The foregoing Report Read & Accepted, & ordered to be Transmitted to ye Honble upper house

Test John Fowler Clerk

In the upper House

The foregoing Report was read and approved

Test George Wyllys Secrety

[Indorsed] Comtees Report on the Agents Letters Octr 1751

p l H p u H 31 p m

RICHARD PARTRIDGE TO ROGER WOLCOTT.

London 8br the 10th 1751.

Govr Wolcott

I wrote thee on the Colonys Affairs on the 30th 6th mo last ℔ Capt Corne via New York since which I have laid out more of their Money that was in my hands as foll

Bought 4 India Bonds more Cost	422	2	7
& Called in £1000 ℔t of £2000 placed out as before advizd & bot £500 Capl in So Sea Stock at 115½ ℔ Ct at 4 ℔ Ct Intt on 115½	577	10	
& bot £350 Captl Bank Stock 141⅞ ℔ Ct for the opening next week, Intt 5℔ Ct on 141⅞ besides Brokr	496	11	3
	£1496	3	10

The remaining £1000 placed out as abovesaid continuing 2 mos longer when its Supposed Stocks will in all likelyhood be lower which yet has not happened as expected & shall Credt your Colony wth the Dividends & Interest as they shall be recd. I am

Thy &ca

RD PARTRIDGE

duplicate

the 29th Ditto

Since my last to thee of which above is duplicate, I had private notice from the Council Office that Masons Solicitor intended to make a motion before the Lords Committee one day last week concerning the Affair of the Mohegan Indians wch I presently acquainted our Solr Sharpe withall that he might duly attend to prevent any Surprize — & accordingly Masons Solr moved the Lords (making a pretty long Speech after his Petition & mine were Read fully out) against my Petition intimating that the Colony had nothing to do to oppose his Solicitation for money from the Crown, that the Agents Petition was indecent, nay Impertinent &ca, & insisted Strenuously on having the money granted. To which Sharpe replyed signifying that he apprehended their Lordships would have nothing to do in advising the King to part with money for the uses pretended which was for harrassing & distressing a great Number of People in ye enjoyment of their Settlement, which they had been in possession off for a great Number of Years, that this Affair had been twice examined into by Comrs appointed by the Crown who had come into a Judgmt & Determination already upon it in favour of the People. But that if Mason had been Minded to continue his Application for money the proper Place for it woud have been at the Treasury, & that Should ℔sons when they are poor be incouraged to apply to the Crown for money to carry on their litigious Suits it would be a bad precedent & be attended with very ill Consequences & hoped their Lordships therefore woud not gratify or Countenance Such Practices &ca or to this Effect with a great deal more of very good Argumts in our behalf—upon the whole the Lords Comitte as it had been made appear to them that the Agent for the Colony had not had due notice to prepare for the said motion the matter was for that time put off without doing any thing at all in it, & That Webb who is Masons Solr Should give Mr Partridge proper notice when he intended to move again—but whether he will or not is uncertain as I think he has not the least Encouragment for it, but if he shoud I hope we shall be pretty well prepared for him—for now I really believe they intended to

have taken us at a disadvantage & in a manner trickt us with a Hearing Exparte if I had not got the private Intelligence I did of their Intention, & who therefore I find must be narrowly watched which I intend to do accordingly—who am with due respects.

Thy assured Friend
RD PARTRIDGE

I find on further consideration & discoursing wth Capt Elihu Hall concerning the affairs depending with Mason that the Evidence & Proceedings under the Colonys Seal & other Material Papers are wanting amongst those which your late Agent had, I having got all that cou'd be found both from his Executors & also of Solicitor Sharpe but as they certainly can't be lost I intend to make further diligent enquiry after them against we shall have occasion.

I send thee ℔ this conveyance some of our London Prints to be forwarded ℔ the Dep: Govr of Rhode Island, by a private hand, of which I desire thy acceptance

[Superscribed] to Roger Wolcott Esqr Governour of the Colony of Connecticut Windsor ℔ Capt Campbell

[Indorsed] From Agent Partridge Octo 10th 1751

ELIHU HALL TO ROGER WOLCOTT.

London 1st Novr 1751.

Honble Sir

In my Last to your Honour of 16th Septemr Last I advised of Masons Expectation of a hearing. and on Thursday 24th Octobr Mr Partridge called upon me to go with him to the Cock Pit where was to be held a Board of his Majesty's Hon'ble Privy Councill. when & where Masons Council would make a Motion for hearing of his Petition; The Result of which the Agent has communicated to your Honr by his last Letter the Contents whereof he favoured me with. Last Tuesday on his Desire I drew a Copy of Masons Petition and the next Morning by Mr Partridges Directions

waited on Mr Joshua Sharp an Attorney retained for the Colony, Brother to Mr Sollictor Sharp who being Affected with a Paralytick Disorder and much Enfeebled thereby has declined any further Service for the Colony, & is Winding up his Business in order for Retirement, but has promised to Afford advice as Occasion requires Mr Joshua Sharp was Inquisitive after the Facts as he had not seen the Papers. I imparted to him what I could (as to the previous points) viz the Injustice of the English to the Indians being Masons Complaint &c in Order to Obtain Mony out of his Majestys Exchequer to prosecute his Complaint. I Observed to Mr Sharp that I presumed however full of Compassion their Lordships were Yet they would not give greater Creditt to the Complaint or Representation of one Single Man in such desperate Circumstances, having no Evidence from the Tribe of Indians, to support his Pretensions, then they would to a whole Colony. whose Conduct to said Indians had been Examined by two Setts of Commissioners, & had both of them decreed in favour of the Colony &c. He Thôt it wd be Strange but Added withall that there had in a Variety of Instances appeared in their Lordships a Disposition to give hearings to the Groans of the Impotent and enumerated Several too Tedious to insert. But he signified to me That Mr Forrester the Councill retained for ye Colony had a good Interest with The Earl of Granville Lord president of the most Honble Privy Councill. After this I waited on Mr Partridge & he desired me to go to the New England Coffee House to examine the Papers relating to sd Case and accordingly I went but there was only the Briefs made and prepared by the Atto for the Councill in the former hearing Upon which I acquainted Mr Partridge who told me that Mr Sollicitor Sharp said these was all I told Mr Partridge I knew the Colony had sent their Exhibits. as I myself being at Norwich at the Commissrs Court in 1738 had given my Deposition as to some Facts, which Exhibits & Evidences were prepared & sent but as yet cannot be found. Mr Sharp desired me to wait on the Councill next Monday with the Papers as Tuesday there will be a Board when it's probable

there will be a new Motion. if any thing Occurs, I shall advise Yr Honr ℔ the next Conveyance and am Yr Honrs most Obedient

Humble Servt to comand

ELIHU HALL

Govr Wolcott

[Indorsed] From Capn Elihu Hall Novr 1 1752*

ROGER WOLCOTT TO EBENEZER PUNDERSON.

Windsor Novr 1st 1751

Revd Sr

I have Laid yours of the 12th of Octr past before the Councill who (Altho Desirous that you should have the benefitt of the statute you refer to) Cant see but that the Words in the statute Express the sence of it as fully as possible

By the Clause you recite out of the Letter from the Venerable society it Appears that the society is Informed that this Government is under a violent opresive spirit Towards the profesers of the Chh of England I Coud be glad to know who the Informer is and What the Complaint Which as far as I Can Learn is an Abuse to this Governt and the society it self

I am glad to find you Desireous to Avert the Threatening storm and to Improve this disposition in you lett me observe to you that the Venerable society are Great and Good men Who have Nothing More at heart then to promote vitall and practical Religion Among His Majesties subjects and When they once understand this Governt are in the same sentiments and pursuing the same thing we shall fear No storm from that quarter I therefore advise that you send them the Laws of Conecticutt made for the suport and furtherance of Religion and this statute with the rest I doubt not but that when they find that we have Divided the Colony into Religious societys of such limits the the people

*The letter may not have reached Wolcott until into the calendar year next after it was written. Hence the error in the date indorsed upon it.

Conveniently Can and do Attend the public worship. And that the profesors of the Chh of England as well as others are Enjoind to attend under penaltys in the Laws provided. The Venerable society we see we have taken Care to promote and suport Religion among us. You S^r^ are sensible that pluralitys and Non Residencys are Complained off by the Bishops as banefull to Religion, and that your Mission is Large from Guilford to Union is I supose at Least Eighty miles. the society will also see that the professors of the Chh of England are protected from Disturbance as much as others and that the ministers thereof are Intituled to the Taxes of all such professors that live so Near the place of publick Worship that they Conveniently Can and do attend it which extends as far or further then the limitts of our Largest societys: These things being shewn to the Venerable society will Convince them that we have taken as Greate or Greater Care for the Ministers of the Chh as for any other and thereupon that a Complaint ag^t^ us that we are opresive to them is Clamorous and Without reason and so the Threatening storm will be Averted as you desire

I shall be always ready to Give you all reasonable favor and am

Your very Humble serv^t^
R WOLCOTT

To y^e^ Rev^d^ M^r^ Eb: Punderson
[Indorsed] To the Rev^d^ M^r^ Eb: Punderson Nov^r^ 1 1751

PHILIP CARTERET WEBB TO JOSHUA SHARPE.

In the matter of the Petitions of,

Samuel Mason, Trustee & Guardian of the Mohegan Indians in his Majesty's Colony of Connecticut in New England,

And of Richard Partridge, Agent for the s^d^ Colony of Connecticut.

Sir

I Intend to move the Right Honble The Lords of his Majesty's most Honble Privy Council to whom the above

Petitions stand referred on Tuesday next at 6 of the Clock in the Evening at the Cock pit White hall on the matter of the s[d] Petitions.

PHILIP CARTARET WEBB
Sol[r] for the Pet[r] Mason.

Budge Row 9[th] Nov[r] 1751
To M[r] Joshua Sharpe
Sol[r] for the Pet[r] Partridge.

PHILIP CARTARET WEBB TO JOSHUA SHARPE.

D[r] Sir.

I send this to remind you of my last Notice in the Mohegan Indians, which I intend to move on Tuesday next. I think it will not be necessary for me to Send to M[r] Partridge again as you are, I presume, fully Instructed. I am

Sir, Y[rs] M[t] Truely
PHILIP CARTERET WEBB

Budge row 22[d] Nov[r] 1751.

EBENEZER PUNDERSON TO ROGER WOLCOTT.

North Groton 23 Nov[r] 1751

Hon[d] S[r]

Yesterday I receiv'd your favour of Nov[r] 1st. and am rejoyc'd to hear that your Hon[r] and the Council are desirous that I should have the Benefit of the Statute refer'd to i. e. that, made at the Desire, and in favour of the Professors of the Chh of England.

That Clause in the Societys Letter w[c] your Hon[r] supposes grounded upon a Male-Representation of the Sp[t], & temper, of the Gov[t] is founded only upon Matters of fact, and truly related to them by me, in a Letter dated June 25[th] 1750 A paragraph of w[c] is in these words & from w[c] taken. "In Cohabit the N: Society of Guilford they have been distraining from, and Imprisoning Some of the Professors of the Chh of England; being Encouraged by my ill Success in Endeavouring to Protect, and recover a tax taken, from

one Mathew Paul A professor of the Chh of England at the Union who had upwards of 12£ our money distrain'd from him for their Ministerial Charges. I sued the Collecr upon a Stat: of ye Govt page 340 which has long been conceiv'd to exempt the Professors of the Chh of England from paying taxes to their Presbyterian Meeting-Houses & Ministers; But after a Long & Tedious process Judgment was given against me: the writ having been twice Abated, only on Account of the Distance wc is 43 Miles from ye Chh in Groton: 37 from yt in Norwich: and 10 from the place of our Worshiping in Mansfield: where He attended at least 2ce a year. these facts will appear by the Inclosed papers". which were the Summons, Evidences, & Judgmt and I think the Statute itself. there is no Occasion of my Complyance with yr Honrs Advice, of sending to the Society the Ecclesiastical Laws of this Govert wc they have, and I presume understand the Geography, and Religious State of the New Engd as well as almost any Person in the Govt (meaning no Reflection;) Having had an Ample Account, & in ye most Advantageous Light made to them, by ye Hampshire Ministers, About 18 years ago.

I am Rejoycd that your Honr has so good an oppinion of that Venerable Society of the greatest and best of Men; who spare no cost nor pains to promote True Religion, & Virtue, & will not Suffer their Missionaryes and the Professors of the Chh to be any longer worse dealt by than Quakers or Baptists.

With Submission to your Honr, I cannot conceive how the Non Residency justly complaind of By the Bishops can possibly be applicable to my Case: who am an Itinerant Missionary in New England. Resident is oppos'd to Non Resident, not to Itinerant for there may be (as I am) A Resident Itinerant, As In this Government we have Resident Itinerant Judges i. e. those of the Superior Court. Resident in the Govt and Itint as oblig'd to Journey thrô the various Counties.

I shall Trespass no longer upon your Hons Patience, Save only to Assure your Honr; that as on the one hand, I shall always guard against Clamorousness, and misrepre-

sentations: so I Shall be equally faithfull, to transmit to that Venerable board a faithfull Account; of the Difficulties I meet with in the execution of that Sacred Office conferd upon me: and the Societies most possitive Instructions, And am

With Great Respect your Hons
most Humble Servt
EBENEZR PUNDERSON

To the Govr

[Indorsed by Wolcott] From Mr Punderson Novr 23 1751

MOTION BEFORE THE PRIVY COUNCIL.

It is submitted whether it may not amongst other arguments be advisable to mention to the Lords of the Council that the Fund or Duty of 4½ per cent out of which the Petr Mason prays a supply was never intended for such purposes as he wants it for

The History and Application of that Duty may be seen in the small Treatise herewith left you fo: 34 to 36 & 124 to 127

It is likewise submitted whether the present Application of the Petitioner Mason at the head of a small Party of Indians he makes Tools of to countenance his Application Is proper to be supported—so far as to give him Money out of the Kings Purse—In Order to disturb his Majestys subjects in ye enjoyment of Land they have actually possessed for above half a Century past—Cui Bono?

If the former allowance is urged It must rest under the Circumstances matters in then appeared in and the Petitioner has had the use of it and the purpose it has served has been this that there are now two concurrent Judgmts of two Different Commissions agts the Pet & in favour of his Matys Subjects. Why grant him further supplys then out of the Royal Purse?

[Indorsed] In the Case of the Mohegan Indians.

The Motion will be made Tuesday Evening next ye 26th November 1751.

Mr Forester
Josa Sharpe

JOSEPH WHIPPLE TO ROGER WOLCOTT.

NEWPORT 30th Novr 1751

Sir,

I duly receiv'd your very obliging Favour of the 25th ultº am very sensible, of the genteel notice you are pleas'd to take, of the respect shewn your Son; & crave leave to assure you, that no acceptable Service within my power, shall ever be wanting to any, Who have the Honour, of being your Relations or Friends.

I shou'd greatly esteem a correspondence with your Honour, & when any thing occurs here, worthy notice, shall take the fredome of communicating it to You: Of late we have been under some apprehension of the Small Pox spreading; thro' the bad conduct of some who brought it among us: the few who have been seiz'd with the Distemper, have been remov'd, & I don't hear of any one person now in Town, that has it; so that I hope by the Blessing of God, upon due care taken, we shall soon be freed from that Evil. I am most respectfully

Your Honour's
very humble Servant
JOS: WHIPPLE

Whenever your Honour or any of your Family come to Newport, I desire you will please to make my House your home,

As before Sr Your most humble Servt
J W

Honble R. WOLCOTT Esqr

MATTHEW GRAVES TO PHILIP BEARCROFT SECRETARY OF THE SOCIETY FOR THE PROPAGATION OF THE GOSPEL.

Good Sir/

I was hoping yt Time & Reflection wou'd have produc'd some proper & expected Alteration in ye minds of these People; but despair, while Mr Steward & Capt Durfey so inflexibly unite in their malicious Principles & infidel

Preaches. In all other Instances no Persons are at greater Variance, but in persecuting ye Ministers of Christ, like Pontius Pilate & Herod, they become Friends. How indefatigably they have strove to confirm this Assertion, Mr Colton will demonstrate to a little. No base Arts or Devices have been spar'd (during his Continuance here, where he embarked) to deceive him in my Character in order to paint me to my Patrons & Superiors in ye most frightful Shades. But whilst I can engage Jehova Nisi on my side, I will not be afraid of what Man can do unto me. I formerly laid before you my Objections to Mr Colton's Designs, & am convinc'd in my Conscience he's a most improper person for holy Orders. On ye 7th of July last he procur'd two Boys, one aged 15 ye other not so old, to swear against one of my Parishoners at Hebron; but happily ye Justice saw thro' ye horrid Design, & prevented Perjury. I examin'd the elder & ask'd him, how he cou'd know ye person exactly at nine O Clock in a dark Night & at a great Distance? He said he thought it to be him. The poor man was arrested upon ye Night Law for turning Horses out of Mr Colton's Land; tho' by two aged Witnesses upon Oath it was prov'd he had not been out of his House yt Evening & yt Night. As Mr Colton says he go's for holy Orders from an inward Call, independent of ye Society, I have sent ye original Papers, relating to this Fact, wrote by ye Justice, to his Lordship; before whom I have also laid an Original Bond; drawn & sign'd by Colton, a true Copy whereof you have here inclos'd. The wicked Design you'll easily perceive, only let me observe, yt it's computed he has taken about £10 for ye Loan of £20 for half a Year. I cou'd lay before you several other enormous Crimes; wilful, deliberate Perjury against me before a Justice I was an Eye-witness of, wth many other particulars, too numerous to write, too offensive to be heard. But Gods Will be done!

I have little to say of ye Progress of these People in Virtue, or ye Good I do among them. I have however regularly prepar'd & lately baptized five Whites, & two Negroes, all adults, & have others under proper Instructions,

in order to initiate them into Christianity. Certainly this Congregation wou'd flourish exceedingly were two of its Members of another Persuasion, or rather of a more Christian Spirit. I desire to know how my last Requests were accepted by ye Venerable Society. Their Will shall always be agreeable to me as my sole Study shall be to promote ye true Religion of Christ & ye Glory of his Church. When you are at Leisure to honour me with a Letter be pleas'd to send it to Mr James Honeyman. I hope an Order for this, in Favour of Mr Slone of this place, & of Mr Honeyman for next Quarter will meet with proper Encouragement. Your condescending to present my Duty & Service to my Venerable & August Patrons is ye earnest Request of their sincere Missionary &

Good Sir

Yr most grateful

humle & obedient Servt

My Sister & I beg our Compliments may be acceptable to yr Lady & You

In yrs dated June 22d 1749 you were pleas'd to write thus, I have taken down ye Name of ye Person you mention to me, & shall remember it upon a proper Occasion.

N. London Decr 17th 1751

Be pleas'd to favour me wth some abstracts, having not receiv'd any since those published 1749.

JONATHAN COLTON'S BOND.

Know all Men by these Presents, yt I Jonathan Colton of Hebron in ye County of Hartford in his Majesty's Colony of Connecticut in New England, am holden & stand firmly bound & oblig'd unto John Bliss of Sd Hebron in ye County & Colony aforesaid, in ye full & just Sum of Thirty Pounds Bills of public Credit of ye old Tenor, to ye wch Payment well & truly to be made & done I bind my self, my Heirs, Executors & Administrators firmly by these Presents sign'd wth my Hand & seald wth my Seal, dated ye 16th day of Augst in ye 24th Year of his Majesty's Reign, George ye 2d of

Great Brittain, France & Ireland King &c, Anno Dom: 1750

The Condition of this present Obligation is such, y^t if y^e above bounden Jonathan Colton, his Heirs, Executors, Administrators, or either of them shall stand ready upon Demand made, to deliver up to y^e S^d John Bliss, or his Heirs a Warrantee Deed of an Acre & half of Land, w^ch y^e same John Bliss gave to y^e S^d Jonathan Colton, or to his Heirs £30 in Bills of public Credit of y^e old Tenor, then this present Obligation shall be void & of none Effect, but in Default thereof shall remain & abide in full Force, Strength & Power & Virtue signd

JONATHAN COLTON

Sign'd & deliver'd in y^e Presence of

JOSEPH PETERS

ANDREW PETERS

P. S.

I assure you I lent y^e Money to y^e poor Man & Colton refus'd to take it, because it was a fortnight before y^e time; & tho' he wou'd not deliver up y^e Deed for some Weeks after, yet he made y^e poor Man pay Interest for y^t very time

[Superscribed] To the Reverend Doctor BEARCROFT.

MATTHEW ROBINSON TO ROGER WOLCOTT, JR.

NEWPORT Dec^r 21^st 1751

Sir

By the copy of a Letter to his Hon^r Gov^r Greene from his Hon^r Gov^r Wolcot & a Vote of the Assembly of the Colony of Connecticut w^ch I rec^d last Thursday night, We of the Committee on the part of this Colony are inform'd that you & M^r Lyman are appointed on the part of your Colony to join us in concerting the most beneficial Methods to settle the contested Line between the two Colonies on the one side & the Province of the Massachus^ts on the other, & that the 3^d Tuesday of this Month was the time for us to meet you at Wyndham w^ch if we had rec^d the information soon enough we certainly should have done, but since it is so his Hon^r

Gov^r Greene (in pursuance of Gov^r Wolcot's Letter) desires us to fix a time & place, & to acquaint your Gov^r of it, w^ch at the desire of my Brethren of the Co̅mittee I have now done, and as we thought the 21^st of next Month would on all acco^ts be best we have concluded to meet you & M^r Lyman then at Hartford, hoping that nothing but Sickness or some inevitable Accident will prevent you, as the Business is of such very great Consequence to our two Governm^ts. I have wrote to day to M^r Lyman also, but as Conveyances of Letters at this time o' the Year is very incertain I must pray the favour of you to write to him of Our appointm^t by the first Opportunity after your rec^t of this, he is desir'd to do the same to you, lest we should be oblig'd to wait at Hartford unnecessarily, we purpose to tarry there that Week out & no longer for you, if we don't find you there at our arrival. We doubt not but you'l collect & bring with you all the materials you can, as we shall, that may tend to the final settlem^t of this old Dispute. In the mean time, I am

Sir Your most hble Serv^t

M^W ROBINSON

in behalf of y^e Co̅mittee

To M^r Wolcot

[Superscribed] To Roger Wolcot jun^R Esq^r in Connecticut with haste.

MATTHEW ROBINSON TO ROGER WOLCOTT.

Sir

The night before last at my return Home out of the Country where I have been about a Fortnight, I met with a Letter from Judge Hopkins of Providence inclosing one from his Hon^r Gov^r Greene with a copy of a Vote of your Assembly & of your Letter to Gov^r Greene, w^ch have been comunicated to Cap^t Harrison.

We should gladly have embrac'd the Opportunity of meeting the Gentlemen of your Co̅mittee at the time & Place fix'd by your Hon^r had we known it in season. Cap^t

Harrison & I have this Evening concluded on meeting Mr Wolcot & Mr Lyman your Comitte at Hartford the 21st of next Month, where we shall expect to have the pleasure of their company in order to do all in our power to make the Line streight between us & our incroaching Neighbours. As we find the difficulty of getting Lettrs convey'd this time a year is very great, & this Season inconvenient, we could not hit upon a shorter time else we should chose to have complied with your Honrs desire in meeting sooner. As I shall also write to Mr Wolcot & Mr Lyman, lest thro' accidents they may miss of my Letters We pray your Honr to inform them of the time & place of meeting as above, that we may not be unnecessarily detain'd there; nevertheless our purpose is to be at Hartford if possible some time that day, & if we should not meet with those Gentlemen there, to wait there for them not exceeding that Week. We hope that the time will not be inconvenient to them since we on search in the Almanack can't find any Court to sit then in your Governmt whc we industriously avoided, notwithstanding we have two Courts in our Governmt in that Month wch I shall waive the Business of in preference to this momentuous Affair.

As to the Evidences your Vote & Letter mention, by all we can yet learn, is not (at present) to be obtain'd: for upon the strictest inquiry we could not find where the certain Spot is that Woodward & Saffry's Stake stood, whether there really ever was any Stake set up by them at all, or whether those men ever were in that part of the World, but the most we can find is that the mention of such a Stake or Station was a meer Figment design'd to carry on & accomplish an unfair Scheme. When we run the Line last Winter we took a great deal of pains to find out that famous Spot in Story, but the most we could discover was that Colo: Chandler one of the Boston Comittee set up a Bean-Pole in a certain place on Wrentham-Plain, & said the famous Stake had stood there, but how he knew, or where he got his information is to us unknown

We purpose to carry with us all necessary papers to inform your Comittee as fully as possible, & hope they'l bring us all the light they can. Mr Lyman shew'd Capt Harrison & me a Plat when he was here, wch we pray him to let us have to peruse at meeting; we thought it then a very fallacious Draught, & I believe we are furnished with proofs sufficient to demonstrate it to be a very iniquitous one.

In obedience to his Honr Govr Greene's directions we inform you of the time & place we intend to meet, & the rest Capt Harrison & I thought proper to just mention, & beg the Business may be forwarded as quick as possible.

I am Your Honr's
most obedt hble Servt
MW ROBINSON
in behalf of ye Comittee*

Newport Decr 21st 1751
Duplicate
To his Honr Govr Wolcot

MATTHEW GRAVES TO THE BISHOP OF LONDON.

My Lord/

I hope my Zeal in a good Cause will plead my Excuse for writing again upon ye same ungrateful Subject. I suppose Mr Colton has already presented himself a Candidate for holy Orders. About four days ago he brought one to my House to intercede with me not to write against him; but ye Honour of ye Religion, wch you have so long & eminently adorn'd, obliges me, as to do Justice, so to prevent ye Encrease of false Prophets. I have already laid before yr Lordship ye Impudence of Mr Colton in persevering to officiate in my Church in Opposition to my Orders; in preaching his own Sermons; in holding Parish-meetings cited in ye Church, & assembled in private Houses without my Knowledge; in perjuring himself wilfully & deliberately

*The concluding lines and signature of this letter are imperfect and are here completed from the original letter preserved with this, which itself is very imperfect in an earlier part.

before a Justice of ye Peace, in order to blast my Character; in procuring an illegal Obligation for £30 Sterg ℔ Annum from ye people, which he & they told me he's to return, when ordain'd: for he expects, as well as others from these parts, to escape ye Oath of Simony,* ye Guilt whereof he will certainly incur: for ye whole Obligation & Design thereof are expresly against ye 40 Canon; & by imposing on yr Lordships Sagacity to steal into Orders. However as Matters of Fact are Demonstrations, I have inclos'd ye Copy of a Bond† (whose Original I have sent in a Letter to yr Lordships Decemr 10th) formd & wrote by himself, whereby yr Lordship will see, as in Minature, ye Extortion & Vileness of ye Man. I presume it might easily be prov'd ye Principal was but about £22, consequently ye Interest included & paid was £8 for six Months Loan of £22. The other two Papers are Copies of Originals wrote by ye Justice, before whom he su'd a poor, but very worthy Man upon ye Night Law, & brought two Boys, one aged 15, ye other younger, to swear to ye Identity of ye Man, seen by them at a considerable Distance about nine OClock in a dark Night; tho' by two aged Men 'twas prov'd, ye poor Man was not out of his House yt Evening & yt Night. I hope Yr Lordships Goodness will pardon me, at this time particularly, for desiring yt You will be pleas'd to discourage in Candidates from this place the Confidence they put in ye Meritoriousness of their Works. Let ye Papists glory in ye prevailing Efficacy of their Performances: but I hope our Church will always preach up ye Necessity of Faith, as well as Works: & yt as ye former is ye mere Gift of God, so ye latter is acceptable only thro' ye Merits & Intercession of Jesus Christ. Were I present I wou'd enter my objections against Mr Colton's Ordination; but tho' I'm prevented yt Opportunity, yet they are wrote & enter'd in ye Presence of

*Simony is the act or practice of trafficking in sacred things; particularly, the buying or selling of ecclesiastical preferment, or the corrupt presentation of any one to an ecclesiastical benefice for money or reward.

†The same as was inclosed to the Secretary; see following his letter of Dec. 17, 1751.

God, whose unworthy Minister I am. Yr Lordship's Prayers on my Labours are earnestly desired by,

My Lord,

Yr Lordship's most dutiful Son

& most obedient Servt

MATT GRAVES

New London Decr 23d 1751

[Indorsed] The 23d Decemr 1751 Revd Mr Graves. New London requires no Answer.

JONATHAN COLTON'S COMPLAINT.*

Hebron Hartford County July 17th A D 1751 I Jonathan Colton of sd Hebron Come to John Phelps Esqur one of his majesty's Justices of the peace for Hartford County and do Complain and say that some Evil minded person in night Season next after the sixteenth Day of this instant July did turn out of my inclosure being my proper Estate two Horses which Horses I put in there to pasture which Horses were turned out without my Consent and knoledge out of my pasture which lieth near to the Dwelling House of John Bliss of said Hebron which Horses being so turned out and Straing away is to my damage the Sum of ten Shillings proclamation money and I do vehemently suspect that one John Bliss of sd Hebron turned out said Horses as aforesaid and father I desire that the said John Bliss may be Caused forthwith to answear sd Complaint and be father dealt with as the Law directs

Jonathan Colton

A true Copey Examined by me

John Phelps Justice of ye peace

TRIAL OF JOHN BLISS.*

at a Court for the triall of Small Causes held in Hebron in Hartford County July ye 17: 1751 present John Phelps Justice of the peace for said County to hear and try a Com-

* Inclosed with the preceding letter.

plaint brought by Mr Jonathan Coulton of said Hebron against John Bliss of said Hebron for being suspisesly gilty of turning out his Horses out of his parster in the night Seson next after the Sixtenth day of this instant July as by Complaint on file may apear baring date July ye 17: 1751 now said Bliss being brought before this Court to Answer to said Complaint and be examined as the Law directs said Bliss pleaded not gilty this Court having examined the said Bliss and heard the Evidences and plees oferd in said Case and Considered the Same is of opinion that the said John Bliss is not gilty wheareupon tis Considered by this Court that Mr Jonathan Colton of said Hebron plaintiff pay the Corst of this suit Corst alowed at Eighteen Shillings.

A true Copey Examined by me

JOHN PHELPS Justice of ye peace

ROGER WOLCOTT TO EBENEZER PUNDERSON.

WINDSOR Decr 26 1751

Revd Sr

When I Recd your first letter and observed the heavie Imputation of violence and opression Laid upon this Govern^{t} by the society I Concluded there was some facts Complained of to them that might Justly Draw this Imputation upon us therefore I desired to know the Complaint that we might do ourselves and others Right and thereby satisfy the Complainer

But when you had by yours of the 23d of Novr shewed me the Complaint and that you was the Complainer I took the Complaint into Consideration and observed

That when you mentioned to them that there had been destrained from and Imprissoned some of the professors of the Chh of England you had been so carefull to keep your self within the truth as not to Intimate to them that this was not the Case of Every Prebiterian within the Colony that refused to pay his Tax

That when you had Informed that A Judgment was given agt you you were Carefull not to charge that Judg-

ment with Error yett Admitting there had been Error must the Govern^{t} be called Opressors because they did not put in Judges that Could Not Err but so Came to a Case paralell with this

one Informs me that you have preachd a sermon and no waies Complaining but that it was orthodox shall I call the society Hireticks because they Gave you a Mission

I believe S^{r} you must look out and find me some other Complaint before I am fully Informed in the Case

your Notion of an Itinerant (that is a man Journeying) Resident is New to me but I have no pleasure in Contending about Words and had rather Consider of things

And how if a Minister that hath two parishes and Constantly keeps an able Curate in one is Justly Complaind of as hurtfull to Religion because he is not there Resident himself Lett the question between us be whither an Itinerant that has fifty parishes in his Mission and at such a distance that many that have Joined themselves to him dont hear him above once or twice in a year be not as hurtfull Especially if his Ministry has this Efect that it prejudices them ag^{t} the Ministers of their parish and keeps them from Atending any publick Worship all the rest of the year only those two times that they hear him: I dont charge this upon you but you know S^{r} that the Laws of this Colony Enjoin all persons to attend the publick Worship under Certain penaltys in Case of a mission this Law I think you will not Complain of because it is of a sort with the Law of England there is Complaint that some persons that used to give due Attendance till they Joind with you since then give no attendance only the few times in a year they hear you

The Justices are sworn to put the Law in Execution but when such persons are brought before them they plead the Minister of their parish is no Minister of Christ and so will unchurch all the Churches in the Land and the greater part of all in the Protestant World and when Asked if they attend your ministry duely as the Law Enjoines They plead the Distance was so Great that it was Imposible

This brings us under Great Dificulties these men must be punished or the Justice break his oath or the Law must be repealled which I think you not plead for because it is the same with the Law of England and because it would lead the loose people in the Land to a remissness in hearing of sermons and to spend the sabath in Idleness or acts of prophanation

And here I must leave it with you and all Good men whither in this Case Religion is not more wounded than in that of a Non Resident Minister

I assure you Sr that your faithfully Transmitting to the society your Dificultys and under the Caution you propose shall not offend me. And that I shall be alwaies ready to do you any service Consistant with reason the Laws and the Interest of our Redeemers Kingdom and am Revd Sr

your very humble servant

R WOLCOTT

To the Revd Ebenr Punderson

[Indorsed] To Mr Punderson Decr 26 1751

RICHARD PARTRIDGE TO ROGER WOLCOTT.

London 9ber 29th 1751

Govr Wolcott

Since the foregoing I have been Served with Notice from Masons Solr of his Intention to move the Lords Committee of Council on the Subject of his Petition for a Supply of Money from the Crown & accordingly we got a Brief prepared & a Counsel to attend in Support of my Petition in Opposition to their Application & accordingly after a second Attendance before the Lords the matter was moved by their Solr largely & in as Strong a manner urged as it was possible for him I suppose to do, & Strenuously opposed with the necessary Argument urged by our Counsel — & after we were ordered to withdraw, the Lords taking the same into Consideration came into an Opinion contrary to our Expectation & ordered that it should be recommended to his Majesty for money to be granted agreeable to the

former Order of the King in Council & that that Order shoud Stand, But came to no Conclusion that I hear off what the Sum should be.

Their next proceeding its likely will be from the Crown to the Treasury for the money which yet may be attended with difficulty for Jn° Sharpe is Sol^r to the Treasury & he apprehends they will hardly part with money in this Case without referring the matter to him for his Opinion—But at all Events we shoud have the proceedings of the last Comm^rs under their hands & Seal which I believe was never yet sent over hither I having seen a Letter from some of them to the Board of Trade intimating that a Copy was made out for Connecticutt, but that the Agent for the Colony did not take it out—this I say is absolutely necessary for us to have in time that we may be prepared against the hearing of the Appeal which I think there is time enough for yet—for two of the Comm^rs as I understand have entered their protest or something like it against the Comm^rs Determination w^ch we sh^d also have Copys of.

Cap^t Hall might have been of Good Service to us at our last Hearing on the Merrits of my Petition before the Lords Committee but was before that down with the small Pox which is now above a Fortnight since he was taken ill & is now in a very fair way of doing well again, & as the Doctor says past danger.

The Parliament are now Sitting for the dispatch of Business which they begun the [ ] Inst. & I expect the Sugar Islands Gentlemen will in about 5 or 6 Weeks time begin again in the House of Commons on their prohibiting Scheme which I shall oppose in Such a manner as I shall judge proper in behalf of the Northern Colonies, as doubtless also will be done by other Agents for those Governm^ts.

I send thee the Kings Speech at the opening the Parliam^t which thou will see in the inclosed Gazette & other of our Prints, I send to my Correspondents Oliver & Phillips at Boston to be forwarded to thee by a private hand to which I refer for further News.

The Earl of Holderness continues Secretary of State in the Room of the Duke of Bedford & the Earl Granville Lord President of the Comons in the Room of the Duke of Dorset & no other material alteration of the Ministry of late.

I am with due respects

Thy assured Friend

RD. PARTRIDGE

We have no accot of the arrival of Colo Williams yet at Connect

duplicate

Decr 28th

Above is a duplicate of my last to thee

The Parliament broke up the 19th Inst and adjourned for the Hollydays (so called) over to the 7th & 9th of next mo:—And as the King intends to go over to Hannover pretty early in the Spring it is likely to be but a short Sessions to what it used to be, so that probably the Wt India Merchts will hardly pursue the intended Solicitation of their prohibiting Scheme relating to the West Inda Trade which yet they have not begun upon this Sessions, nor on any other matter relating to ye Plantation.

As to the Ministry Henry Pelham Esqr continues pri: M—r, Lord Chancelor as he has been for some considerable time, Lord Grandville Presidt of the Council, & the Earl of Holderness Secretary of State in the room of the Duke of Bedford.

R. PARTRIDGE

I now send a packet with a Magazine & news papers for thee to Oliver & Phillips to be forwarded by a private hand

[Superscribed] To Roger Wolcott Esqr Governour of the Colony of Connecticutt Windsor

[Indorsed] From Agent Partridge Novr 29 and Decr 28 1751 Rec'd Aprill 3 1752

CONNECTICUT'S COMMITTEE ON THE MASSACHUSETTS BOUNDARY TO RHODE ISLAND'S COMMITTEE.

Gentlemen

We who are the Comittie, appointed by the Colony of Connecticut to Joine with you in procureing Evidence Respecting the Line, Deviding between the Province, and these Two Colonys, Desire you to prepare for us.

1st The Survey and plan, made by Mr Harrison one of you Shewing the Distance from Charles River to Rentum Station So Called, Togeather with the Situation of the three Small Streams that falls into and make up Charles River.

2ly The Testimonys of the Chaine Men who assisted Mr Harrison in purforming the Survey.

3ly All the Evidence that you Can procure, of the Masechusets Appointing a Comittee in the Year 1704, or thereabouts to make Tryal How the Line would Run between the Governments and that, that Comittie begun att the Same River for Charles River which Mr Harrison Run from.

4th Git what Evidence You Can Either by Copys of Deeds or Testimonys, To Shew that the River Now Run from is Really Charles River, and that this Stream Now Claim'd by the province as a part of Charles River was Never So Caulled by is Really a Small brook falling into Charles River, and Called by an Other Name, and Let these Evidences be properly Authenticated under the publick Seal of your Colony. and be pleased to Meet us att Hartford, on the first Day of april next, with these and other proper Evidences in the Case

[Indorsed] Capt Wolcotts' motion to the Governor of Rhode Island 1752

REPORT OF COMMITTEE OF COUNCIL.

At the Council Chamber Whitehall
the 26th of Novr 1751

By the Right Honble the Lords Committe of Council for hearing Appeals from the Plantations

Your Majesty haveing been pleased to refer unto this Committe the Humble Petition of Samll Mason Trustee for the Tribe of Mohegan Indians in America Setting forth that the sd Tribe have been very faithfull and of great Service to the English Settlements in America in return for which the Crown has always been Graciously pleased to grant them its Protection, but the Colony of Connecticut many years ago haveing taken from the sd Tribe the small Tract of Land they had Reserved to themselves out of the Vast Territory they had freely given up to the English, Great Disputes arose thereupon between that Colony and the sd Tribe for Adjusting & Determining of which a Commn was Issued by your Majesty in 1737 under the Great Seal to Review what had been formerly done therein the Expenses whereof your Majesty was Graciously pleased to Defray, but the Judges Appointed to Execute the sd Commn made a Determination against sd Tribe without giveing them an Oportunity to be heard Whereupon the Petitioner as Trustee for the sd Indians came over to pray a New Commn of Review which your Majesty was Graciously pleased to grant in the Year 1740 and at the same time to Order the Lords of the Treasury to Defray the Charges attending the passing such Commn and all Other Dispatches relating thereto in Consequence of which there was paid to him the sum of £531 12 7½ part of which was for the Charge of the Commn and the Remainder part amounting to £210 was for Answering the Expences attending the Execution of the sd Commn and all other Dispatches relating thereto but the sd Money not being Sufficient to answer the whole of the Expences of the sd Commn in Connecticut the Petitioner alledges that he was Obliged to Advance the Sum of £216 4 1 which Money he humbly prays to be Repaid him & likewise a further Sum Granted to enable him to carry on an Appeal brought by sd Indians to your Majesty in Council from the Determination of the Commnrs under this last Commn in Order to put a final end to those Disputes & your Majesty haveing been likewise Pleased to refer unto this Committee the Petition of Richard Partrige Agent for the Colony of Connecticut humbly pray-

ing for the Reasons therein contained that no further sum of Money may be Granted to the s^d^ Mason for the Purpose affs^d^ the Lords of the Committee this Day took both the Petitions into their Consideration & heard both parties by their Agents thereupon & do Agre humbly to lay before your Majesty the following State of the Case as it Appears to them (Viz)

That upon Complaint made to her late Majesty Queen Anne by this Tribe of Indians of the Injury they had received from the Colony of Connecticut in taking away their lands, her s^d^ late Majesty was Pleased in 1704 to Issue a Comm^n^ under the Great Seal to try and Determine the Right to the s^d^ lands.

That the Determination of the Comm^nrs^ under the said Comm^n^ not being Satisfactory to the Parties a Comm^n^ of Review was Issued in 1706 to revise the s^d^ Sentance but it does not Appear that any thing was done under that Comm^n^ Whereupon in 1737 another Comm^n^ of Review was Granted but the Determination made under this Comm^n^ was afterwards Reversed by your Majesty in Council this Occationed the Issuing a further Comm^n^ of Review in the year 1740 and in Order to render this Comm^n^ Effectual & make it unnecessary to Issue anymore of the like kind in this case it was Judged Proper to Insert a Clause therein Granting liberty to either party to Appeal from the Determ^n^ of the Comm^rs^ thereby Appointed to your Majesty in Council that thereby a final end might be put to those Disputes for the future Pursuant to which Liberty the s^d^ Tribe of Indians have brought their Appeal to your Majesty in Council which your Majesty has been pleased to refer to this Committe in Order to be heard and Determined, And it further Appears to this Committe by the Books of your Majestys privy Council that in Regard to the Great Poverty of the s^d^ Indians & to their Dependance on the Crown of Great Britain all the Expences attending the Several Afforement^d^ Comm^s^ in 1704 1706 1737 & 1740 were Directed by Order of the Crown in Council to be Defrayed by the Treasury & that in the Order of Council made on the 29th of January 1740 for passing

the last ment^{d} Comm^{n} your Majesty was pleased to Direct the then Lords Comm^{nrs} of the Treasury to Defray not Only the Charges attending the same but likewise all other Dispaches relating thereto. In Consequence whereof the Petitioner Acknowledges to have Recived from the then Lords Comm^{rs} of the Treasury the Sum of £210 (more than was Sufficient to Defray the Charges of passing s^{d} Comm^{n}) to Answer all Such Expence as should arise from the Execution there of or Necessarily attend thereupon, tho the Petitioner at the same time alleges that the s^{d} Sum did not prove Sufficient to answer the whole of the Expences attending the Execution of s^{d} Comm^{n} in the Colony of Connecticut. This Appearing to be the State of the Case the Lords of the Committe take leave humbly to Report That they look upon the Several Comm^{ns} which have been Issued and Perticularly the last in 1740 permitting an Appeal to your Majesty together with your Majestys Orders that the Charges of the S^{d} Comm^{n} and all the Dispaches relating thereto shall be paid out of your Majestys Treasury as a mark of your most Gracious Intentions to bring those Complaints to a final Determination and therefor they humbly Concive that the Afformentioned Order upon your Majestys last Comm^{n} in 1740 to Defray all Dispaches relating thereto does extend to the prosecution of the Appeal to your Majesty therein contained which most Gracious consession would otherwise be rendered Ineffectual to those poor people whos Agent has hitherto proceeded without any Advantage to himself and is not of Substance to carry the Appeal into Execution.

That with respect to the Petition of Richard Partrige Agent for the Colony of Connecticut the Lords of the Committe are of Opinion that the same Ought to be Dismissed.

At a Court at S^{t} James^{s} the 14th of January 1752.

Upon Reading at the Board a Repoart from the Right Honble the Lords Committe of Council for Plantation Affairs Dated the 26th of Nov^{r} last in the words following*

* The report which forms the principal part of this document is here referred to as "the words following."

His Majesty this Day took the sd Report into Consideration and was Pleased with the Advice of his Privy Council to approve thereof and to Order as it is hereby Ordered that the Same be Transmitted to the Right Honble the Lords Commisrs of His Majestys Treasury and it is hereby further Ordered that the sd Petition of Richard Partrige Agent for the Colony of Connecticut be Dismissed this Board.

[Indorsed] Copy of Report by the Lords Committe of Council to his Majesty in 1751 on the Moheagan Case

ORDER OF THE KING IN COUNCIL.

At the Court at St James's
the 14th day of January 1752.
Present
The Kings most Excellent Majesty in Council.

Upon reading at the Board a Report from the Right Honourable the Lords of the Committee of Council for Plantation Affairs dated the 26th of November last in the words following Vizt

[Here is repeated the Report of the Committee of Council which forms the principal part of the document printed next preceding this.]

His Majesty this day took the said Report into Consideration, and was Pleased with the Advice of His Privy Council, to Approve thereof, and to Order, as it is hereby Ordered, that the same be Transmitted to the Right Honourable the Lords Commissioners of His Majesty's Treasury. And it is hereby further Ordered That the said Petition of Richard Partridge Agent for the Colony of Connecticut, Be Dismissed this Board

[Indorsed] the 14th day of Janry 1752 Copy of His Majestys Order in Council approving the Report of the Lords of the Committee on the Petition of the Trustee for the Mohegan Indians to be allowed a Sum of Money to enable him to prosecute the said Indians Appeal agst the Colony of Connecticut.

SAMUEL MASON'S PETITION.

To the Right Hon̄ble the Lords Commissioners of his Majestys Treasury

The Humble Petition of Samuel Mason Trustee and Agent for the Tribe of Moheagan Indians in America—

Sheweth

That on the English first Setling Connecticut the Moheagan Indians Sided with the English, and Granted great parts of their Country to them. Reserving to themselves certain small Tracts of lands necessary for the Subsistance of the Tribe, which the Colony and Inhabitants haveing in a very Arbitrary manner Dispossessed them of, they had recourse to the Crown for redress who took them under its Protection and in 1704 issued a Commission to hear and Determine their Complaints and the Commissioners therein named made a Determination in favour of the s^{d} Tribe of which the People of Connecticut obtained an Order for a Commission of Review but did not Proceed thereon.

That his Present Majesty haveing at the Instance of the said Tribe Ordered a New Commission of Review to Issue was graciously pleased by Order in Council of the 20th of January 1740 in regard to the poverty of the said Tribe to Direct that the Charges thereof and all the dispatches relating thereto, should be Defraayed at the Expence of the Crown, and in pursuance thereof your Petitioner in 1741 delivered into this Hon̄ble Board an Estimate (Copy whereof is here Annexed N^{o} 1) of the Expences attending the Suing out and Executing the said Commission which (Including two sums of £10 each for your Petitioners Passage from and to New England and £100 for his Expences in attending on the said Affair for two Years in London) amounting to £531 12 7½ which Sum together with the fees of receiving the same was paid to your Petitioner, by Order of this Honble Board, out of the Duty of four and a half ℔ Cent then remaining in the Exchequer.

That the Commissioners, several of them came for that Purpose from New Jersey upwards of 300 Miles to Norwich

where the said Commission was Executed, Sat in the Execution thereof from the 4th of May to the 26th of Oct^r and the Share of the Expence thereof paid by your Petitioner amounted to £416 4 1 as Appears by the Annexd account N° 2 which £216 4 1 more than the same was Estimated at, in the Estimate N° 1 the same being therein Computed only at £200 so that your Petitioner is in Disburse on that account more than he received, the said Sum of £216 4 1.

That the said Commissioners by a Majority of one Vote gave a very Patial Judgment against the Moheagan Indians Contrary to Evidence and the Plain Justice of the case and to the Opinions of the Other Commissioners from which your Petitioner in behalf of the said Distressed Indians, Appealed to his Sacred Majesty in Council and your Petitioner hath been upwards of Seven Years attending this matter in England (almost to the ruine of his own Private affairs) but hath not been able to bring the s^d Appeal to a hearing for want of Money necessary for that Purpose.

That a Doubt arising whither the said Order of 1740 warranted your Lordships Issuing to your Petitioner such Money as was Necessary to bring the said Cause to a final hearing on the s^d Appeal Your Petitioner applyed to his Majesty for his Directions therein, and the Same being refered by his Majesty to the Lords of the Committe of Council for Plantation Affairs

"Their Lordships on the 26th of Nov. 1751 Reported that they looked upon the Several Commissions which had been Issued and Perticularly the last in 1740 Permiting an Appeal to his Majesty together with his Majestys Orders that the Charges of the said Commissions and all Dispatches relating thereto should be paid out of his Majestys Treasury, as a mark of his Most Gracious Intentions to bring those Complaints to a final Determination and therefore they humbly Concived that the aforementioned Order upon his Majestys last Commission of 1740 to Defray All Dispatches relating thereto, did extend to the Prosecution of the Appeal to his Majesty therein Contained, which most gracious Concession would Otherwise be rendered inef-

fectual to those poor People whose Agent had thitherto proceeded without any Advantage to himself and was not of Substance to carry the sd Appeal into Execution," and his Majesty on the 14th day of Janv 1752 haveing taken the said report into his Royal Consideration, was pleased with the Advice of his Privy Council to Approve thereof and Ordered the same should be Transmitted to your Lordships.

That the proceedings on the said Commissions and Appeal by the Arts of the People of Connecticut are very Voluminous and Drawn out to a very Extraordinary length so that the Determining the same will be very expensive, and your Petitioner hath hereunto Annexed No 3 an Account of what your Petitioner is allready in Disburse, in Prosecuting the sd last Commission and the Appeal therefrom and in Attending for 7 Years in England thereon Amounting to £621 4 1 together with an Estimate of what further expence the bringing the same to a final hearing will be Attended with which it is Computed will Amount to £336 making in the whole £957 4 1

That as this will be the last time any Such charge can be repeated on the Crown, there being in the last Commission a Reservation of a final Appeal to either Party from the Determination of the Commissioners to his Majesty in Council.

Your Petitioner therefore Humbly prays your Lordships to Issue to your Petitioner Samuel Mason the Amount of the said Charges out of the four and a half ℔ Cent (there being as he is Informed a Considerable Sum arising from that Duty now in his Majestys Exchequer) or to make Such Other Order in the Premises to enable your Petitioner to bring the Sd Appeal to a Speedy hearing as Your Lordships in your great Wisdom shall think Proper

And the said Tribe of Moheagan Indians and your Petitioner shall ever Pray &c

No 1

Copy of the Estimate annexed to the Petitioners former petition in 1741

An Account of the Charges attending the Passing a New Commission of Review to determine a Controversy

between the Moheagan Indians and the Colony of Connecticut, together with an Account of the Expences attending the Dispatches relating to the Same

1. The Costs in Revising a former Judgment and Obtaining his Majestys Order for passing the said new Commission Vizt

To Mr Masons passage from New England	10	0	0
To Mr Parris for Money paid to Mr Sollr Genll and Mr Murray who wer the Council for the Indians, and paid for Sundry Reports and Papers at the Board of Trade and for his own fees and Sollicitation for near two years, wherein as he says he has never Charged above & Seldom so high as half fees	93	1	5½
To Mr Masons Expences in waiting and Attending too years in London on the Affair	100	0	0

2. The Expences of the Several Officers in passing Said Commission and Dispatches will be as followeth According to Notes given from the Several Offices (Vizt)

At the privy Council Office	22	7	8
At the Duke of Newcastles	17	4	6
At Mr Sollr Genls	15	10	0
At the Signet & Privy Seal	15	19	0
At the Crown Office	45	0	0
For the Recipi	2	10	0

3. The Expences which the last Commission was attended with in the Execution on the Otherside the water, which this Must be Attended with there (Vizt)

To Mr Masons passage back to New England	10	0	0
To Council fees for the Indians to attend the Commrs which Council must go Down purposely above 100 Miles from their Habitations	50	0	0
To the Commissioners charges and other Necessary costs of Court the Commissioners one half of them going above 200 Miles, and the Other half above 300 from home to attend the Service will be at least	150	0	0
	£531	12	7½

N° 2

An Account of the Money Disbursed by the Petitioner more than was Computed in the foregoing Estimate N° 1.

Paid one half of the Expences of the Commissioners for their Attendance on the Execution of the Comm[n]	255	0	0
To M[r] Bollan who attended the Commissioners as Council for the Indians	106	13	4
Paid Daniel Huntington who Attended the Comm[rs] as one of their Clerks to take their Minutes and for a Copy of the Comm[rs] Proceedings under seal and other fees & Expences on y[e] Executing the Comm[n]	54	10	9
	416	4	1
In the Estimate No 1 These three Articles of the Expences were Computed only at	200	0	0
Expended by M[r] Mason more than was Issued to him by the Lords of the Treasury	216	4	1

N B. This Exceeding was occationed by the unexpected length of the proceeding on the last Commission which make a large Volume Containing 392 Pages close wrote in Folio

N° 3

An Account of the Charges attending the Dispatches and Execution of the Commission of Review to Determine the Controversy Between the Moheagan Indians and the Colony of Connecticut, more than was Received in 1741 from the Treasury, and of the Subsequent Expences on th Appeal as also an Estimate of the future Expences Necessary for bringing the said Appeal to a final Conclusion

Paid by M[r] Samuel Mason to the Commissioners Council, and other Necessary Expences attending the Executing the Commission more than he received as appears by the foregoing Acco[t] (No 2)	216	4	1

Costs and Expences on the Moheagan Present Appeal to his Majesty

To M[r] Masons Passage back to New England	10	0	0
To M[r] Masons Expences in waiting and Attending Seven Years in London on this affair	350	0	0

Paid the Soll^{r} for Drawing and lodging the Appeal	45	0	0
To the Council fees with the Estimate of the Future Expence with the Printed Case for the Lords and on hearing the Appeal, which on Account of its Extraordinary length it is Supposed will take up at least 5 Days	126	0	0
To Chamber and other fees at the Council Office and to the Soll^{r} for Briefs &c and attendance which by reason of the Great length of the Proceedings it is Computed will Amount to	200	0	0
To M^{r} Masons Passage back to New England	10	0	0
	£957	4	1

[Indorsed] Petition of the Moheagan Indians Copy

ROGER WOLCOTT TO EBENEZER PUNDERSON.

Windsor Jan^{ry} 30th 1752

Reverend S^{r}

Yours of the 11th of this instant I acknowledge, & observe that the late Bishop of London was of Opinion, that the Religious State of this Country is founded upon an equal Liberty of all Protestants; none can claim a national Establishment, nor any Superiority over the rest.

as far as I can know any thing about it, this Government is of the Same opinion & that this is the best Foundation of Love & Peace.

yet it is certain the Charter grants us a Power to govern the People religiously, this must intend Something, & if it be not a Power to Set up the Gospel & Support it & to oblige the people to attend the Publick ordinance of it, it is nothing: for where there is no Religion, there can't be any acts of Government about it.

when the Charter was granted, there was Scarcely a Chhman in the Country, it was chiefly Settled with Congationalists, & Presbeterians, & these two Sects are now intermixt in almost all our Plantations, and when either of these Sects were able Seperately to Settle & Support a Minister, they were Never denyed, & the like Liberty is granted to all other Protestants and the Professors of the Chh of England

are expressly allowed this Liberty. But when in any of our Plantations one Sect was not able to Settle & Support a Minister, the Law is that they Shall do it Joyntly, and this without any View or Consequence of Setting one Sect above another, but as a thing necessary for the Being of the Publick worship in our Plantations; and this order has flourished for more than 100 years. The Chhs Settled in our Several Plantations, have flourished in Peace & Law &, I hope, in aboundant Increase of Godliness, & no one Sect in all this Time have complained, y^t^ they were made inferior to another: and altho' at this Time y^e^ congregationalists & Presbeterians together Support the Same Minister, yet neither of 'em think themselves Superior or inferior to the other.

And is there not the Same Reason, that the Professors of the Chh of England, that are not able to Settle & Support a Minister of their own, neither live So near that they can & do hear one, Sho'd have the Same Easiness & be looked upon as no ways made inferior by it? Especially Since it is necessary it Sho'd be So, in order to Support the Gospel & oblige 'em to attend the public Ordinance of it.

You inform me that those that Submit to you, must Every Lords Day, worship according to the Liturgy & read Sermons. I Suppose all this without any Minister, & Suppose this had been allowed to the Presbyterians, Congregationists & all other Sects from the Beginning, No publick meeting Houses, no order no Sermons preached no officers to take Notice of, or punish Omissions in Attendance, what can we conclude, but that the People wo'd have been without Knowledge, & even almost without the Trace of Religion, w^ch^, I believe, you will acknowledge, to be generally the Case in all the Places of his Majesties Dominions in America, where no Care is taken of Religion by the Government? And if the Professors of the Chh ought to be left at this Liberty, So ought every other Sect: and all wo'd Sink into a Mist of Ignorance & Profaneness.

when these things are well considered, I think, the Apprehension of our Setting one Sect above another will cease,

& the Society will be Satisfied, for I presume the Society for propigating the Gospel, will never be fond of using their Power to Screen men from attending the publick Ordinance of it.

But I am concern'd to find that you purpose to enter the Prison, when the Execution is Served, & tho' I can't Supersede the Judgment, yet I Sho'd rejoice to be a means to prevent your Going to Prison, & why, Good S^r^, Sho'd a Gentlemen of your Estate & Character be So fond of Going to Prison?

The reason y^t^ you intimate is y^t^ it will not Sound very pleasantly at Home, & I may Say that it will not Sound very pleasantly here, for it is indeed a moving thing to See a Gentleman of The Clergy go to Goal. But wise & good men will consider the Legallity of the Action & Justness of the Cause & Censure accordingly. & in this Case it will be found, y^t^ you were not committed for your Religion, nor forced into the Law & condemned beyond w^t^ you are able bear, but upon a Judgment obtained against you in a civil action brought by yourself & So is no more than is the Case of every other Subject.

you further observe you are a Member of one of the greatest Societies in the Nation & Missionary from another.

Wise men will always allow you all that Respect that is due to your Caracter, but will hardly allow you to be bigger than the King who is much in the Law & ofteneast, but has never yet pleaded his Caracter as Sufficient to exempt him from abiding the Judgment.

you further observe you Shall be committed for non Payment of an Execution for a Tax taken from your Parishoner.

Tis the first Time I ever heard that an Itinerant was Minister of a Parish, I have heard that your Mission extends all over New England, if So, you've a large Parish, be that as it will & admitting y^t^ all you Say is true; yet it was a Question whether you had a Right to y^t^ Tax, & in bringing your action you claimed your Right to it by the Statute & prayed the opinion of the Court upon it, the

Court determined it against you, 'tis impossible you Sho'd be wronged in this Case, unless the Court denyed you a fair Tryal or Erred in Judgment, but of these you don't complain.

When these things are duely considered good Sr this Action of yours may rather blemish than Serve your Cause as merely voluntary to Stir up Resentment without Just Grounds

But I Submit the Matter to you, & if you think there is nothing in what I have Sd, yet be assured it was done to Serve you, & is all, I think, that at present I can do in this Case consistent with Reason & the Law; you'll therefore excuse the Freedom I have taken & esteem in

your Friend & humble Servt

R WOLCOTT

To the Revd Mr Ebenr Punderson

[Indorsed] To Mr Punderson Jan 30th 1752

ROGER WOLCOTT TO MATTHEW GRAVES.

Windsor Feb 10th 1752

Revd Sr

I have recd yours of the 24th of Jany past and in Complyance with what you desire Must Inform you that I have alwaies understood the first act you refer to was for the substance of it made many years since before there was any publick Worship set up in the Colony according to the order of the Chh of England and Intends only those Ministers [ ] are setled in societys limitted by Act of Assembly

And that the second Act you refer to was made for the professors of the Chh of England that live so Near the place of public Worship that they Conveniently Can and do attend the same

On this Act there has been and May be some Disputes with respect to the Distance but this is Not Intended to sett up one persuasion or sect above Another but only to prevent loose people who Count all Religious service a Wearin[ ] from makeing a Colour of the Law to Exempt and Excuse them from attending any publick Worship att all

I am also to Accknowledge the favour of your Respe-[ ] letter formerly sent mee and to beg that your Consider[ ] of the Multiplicity of my Business and that an Answer Could have been no reall service to you but only to whom the Complement may plead and obtain my parden for th[ ] omission I am

Reved Sr

your very Humble servt

R WOLCOTT

To the Revd Mr Mathew Graves

ROGER WOLCOTT TO WILLIAM GREENE.

Windsor Feb 18th 1752

Sr

The Disapointment of the meeting of the Comittees from the two Governts and the Delay occasioned thereby is what I Lament

I have heard that Mr Bolan has writt to his Constituents that he Expects to have the Case of the line Determined this spring and that they have advanced a Considerable sum to suport him in it

This has obliged mee to hasten forward our Comittee to meet with yours at Rhode Island: Major Lyman being Gone to Northampton I have sent an express for him and hope he will be at Newport before your Comittee Can Git together

But the time must not farther be delayed and if he should faill I hope your Comittee will Concert with Capt Wolcott who Brings you this

the Controversie Efecting both the Colonys I doubt not but that you will do Every thing that is proper on your part

I have been Delayed sending the Case to the Agent for Near a year for want of Evidence from you where only I Can Expecte it of the Distance that the station that our Comissionrs run from in the year 1713 stands from the southermost part of Charles River I beg Leave to Depend

upon you to have these testimonys taken and Authenticated in the best manner and sent mee by our Comittee you will please to Comand mee in Every thing Wherein you shall think I can be of service to you and shall find a ready Complyance from

your Very Humble servt
R WOLCOTT

To the Honable William Green Esqr

p s you will Consider if it be not needfull that you be with the Comittee att Newport to Expedite and perfect this business

R W

[Indorsed] To Govr Green feb 18th 1752

COMMISSIONERS FOR TRADE AND PLANTATIONS TO COLONY OF CONNECTICUT.

Duplicate
Whitehall, March 13. 1752.

Gentlemen,

In Obedience to His Majesty's Comands signified to Us by His Order in Council of the 11th instant, containing Regulations with respect to His Majesty's Colonies and Plantations in America and the Conduct of Governors and other Officers there; We herewith transmit to you a Copy of the said Order, that you may govern yourselves accordingly. So We bid you heartily farewell and are

Your very loving Friends
and humble Servants,
DUNK HALIFAX
J GRENVILLE
CHARLES TOWNSHEND
JAMES OSWALD
DUPPLIN
FRAN: FANE
ANDREW STONE

Govr & Company of Connecticut.

[Indorsed by Wolcott] From the Lords Comissirs for Trade &c Respecting His Majesties order in Councill March 11 1752 Recd Sepr 2 1752

ORDER IN COUNCIL.

Duplicate
Copy

At the Court at S[t] James's
the 11[th] Day of March 1752.
Present,
The King's most Excellent Majesty,

Lord President	Earl of Harcourt
Lord Privy Seal	Lord Berkley of Stratton
Lord Chamberlain	Lord Cornwallis
Duke of Athol	M[r] Vice Chamberlain
Duke of Newcastle	M[r] Chancellor of the Exchequer
Earl of Holdernesse	Lord chief Justice Willes
Earl of Jersey	S[r] John Rushout
Earl of Cholmondeley	S[r] John Ligonier
Earl of Buckinghamshire	S[r] George Lee.

His Majesty having taken into His Consideration the flourishing State and Condition of the Manufactures, Trade and Commerce of these Kingdoms, and also the State and Condition of His Colonies and Plantations in America and elsewhere, with respect as well to their Trade and Commerce as to their civil Policy and Government, And whereas it doth appear to His Majesty, that the said Colonies and Plantations have of late years been greatly improved, the Wealth of His Subjects much encreas'd, and the Navigation of these Kingdoms extended, by the mutual Intercourse between them and the said Colonies and Plantations, and by the Trade and Commerce arising therefrom; And His Majesty being sensible of how great Importance it is to his Crown & Government, and how much it will contribute to the Satisfaction, Convenience and advantage of His Subjects, that all due Care be taken and proper and necessary Regulations made for the further Improvement and Extension of the Manufactures & Commerce of these Kingdoms, and for the Encouragement, Protection and Security of the said Colonies and Plantations; His Majesty is therefore graciously pleas'd with the Advice of His Privy Council to

order, and it is hereby ordered, that the Lords Commissioners for Trade and Plantations do with all Diligence, Care and Concern apply themselves to a faithfull and vigorous Execution and Discharge of all the Trusts and Powers vested in them by their Commission under the great Seal; And whereas nothing can more effectually tend to the Peace, Welfare and good Government of the said Colonies and Plantations than the Appointment of able, discreet and prudent Persons to be Governors, Lieutenant Governors and other Officers and Magistrates; It is therefore hereby further ordered, that the said Lords Commissioners for Trade and Plantations do from time to time, as Vacancies shall happen by Deaths or Removals, present unto His Majesty in Council for His Approbation the Name or Names of such Person or Persons as the said Commissioners from the best of their Judgment and Information shall think duly Qualified to be Governors or Deputy Governors, or to be of His Majesty's Council or of His Counsel at Law, or Secretaries in the respective Plantations, and likewise to present to His Majesty for His Approbation the Names of all other Officers which have been or may be found necessary for the Administration of Justice and the Execution of Government there, excepting only such as are or may be appointed for the Direction and Regulation of His Majesty's Customs and Revenues and such as are or may be under the Directions and Authority of the Lords Commissioners of the Admiralty: And when any Person or Persons shall have been approv'd by His Majesty in Council for any of the above mention'd Offices, the said Lords Commissioners shall (unless His Majesty shall otherwise direct) prepare and make out proper Draughts of such Commissions, Warrants or Instructions as may be thought necessary to be given to such Officers, in order to be laid before His Majesty in Council for His Royal approbation, and when any Person or Persons shall be presented to His Majesty for any of the other Offices of an inferior Nature not judged necessary to be laid before His Majesty in Council, and yet shall have otherwise receiv'd His Majesty's approbation, the said Lords Commissioners

shall in those Cases (unless His Majesty shall otherwise direct) prepare and make out proper Draughts of Commissions or Warrants necessary to be given to such officers, in order to be laid before His Majesty for His Royal Approbation accordingly. And it is hereby further order'd that the said Lords Commissioners for Trade and Plantations do execute and perform all other things necessary or proper for answering the Intention of their said Commission; And whereas the Governors of all His Majesty's Colonies and Plantations in America, more immediately under His Majesty's Government are, in particular Cases as well as in general, directed by His Majesty's Instructions to transmit unto His Majesty, by one of His Principal Secretaries of State, and to the Commissioners for Trade and Plantations, Accounts from time to time of all their Proceedings, and of the Condition of Affairs within their respective Governments; And whereas it will tend to the Benefit of the said Colonies, the Ease and Convenience of His Majesty's Subjects, and the greater Regularity and Dispatch of Business, if the Correspondence be confined to and pass through but one Channel; It is therefore further ordered, that the said Lords Commissioners do prepare the Draught of an Additional Instruction to be sent to the Governors of all His Majesty's said Colonies and Plantations, respectively, signifying His Majesty's Pleasure that in all Cases wherein by His Majesty's Instructions they are directed to transmit any particular or general Accounts of their Proceedings or of Matters relative to their Governments, they do for the future transmit the same to the Lords Commissioners for Trade and Plantations only, in order that they may be laid before His Majest'y; Provided Nevertheless, that whenever any Occurrences shall happen within their respective Governments of such a Nature and Importance as may require His Majesty's more immediate Directions by one of His Principal Secretaries of State, and also upon all Occasions and in all Affairs whereon they may receive His Majesty's Orders by one of His Principal Secretaries of State, the said Governors shall in all such Cases transmit to the Secretary of

State only an Account of all such Occurrencies and of their Proceedings relative to such Orders. And it is hereby further ordered, that a Copy of this Order be transmitted to the said Lords Commissioners for Trade & Plantations to be enter'd upon the Books of the Plantation Office, and that the said Commissioners do likewise transmit Copies thereof to the Governors of His Majesty's Colonies & Plantations respectively, to the end that all Persons concern'd may govern themselves accordingly.

(sign'd)
WM SHARPE.

[Indorsed by Wolcott] His Majesties order In Councill March 11 1752 Expressing his Care of the Plantations and order for their Good Government Recd Sepr 2 1752

EARL OF HOLDERNESS TO ROGER WOLCOTT.

Copy
Whitehall 30th March 1752

Sir,

I have His Majesty's Commands, to transmit to you, the Copy of an Order in Council, calculated for the future Regulation and Government of His Majesty's American Colonies, and I likewise send you inclosed, the Copy of a Letter, which the King has directed me to write, to the Lords Commissioners for Trade and Plantations, explaining the Method, in which it is His Majesty's Royal Pleasure, Their Lordships should put in Execution the said Order of Council, and you will accordingly receive an Additional Instruction from the said Lords Commissioners for Trade and Plantations, directing you for the future, to address your Letters to their Lordships only except in such Cases, as may require His Majesty's more immediate Directions; And it is the Kings Pleasure, that you should for the future, conform yourself to the said Order of Council.

But whereas it may happen, that Circumstances of a very high and important Nature may arise, which may require the utmost Secrecy, it is the King's Pleasure, that if

any such should occur within the District of your Government, you should forthwith, with the utmost Diligence and Exactitude, transmit an Account thereof to One of His Majesty's Principal Secretary's of State only; And you are in such Case, to follow all Orders and Directions, which His Majesty shall think proper to direct one of His Principal Secretary's of State, to transmit to you in Consequence thereof.

I am, Sir,
Your most Obedient,
humble Servant,
HOLDERNESSE.

Govr of

EARL OF HOLDERNESS TO COMMISSIONERS FOR TRADE AND PLANTATIONS.

Copy
Whitehall March 30th 1752

My Lords,

An humble Representation, having been laid before the King, setting forth the present flourishing State of His Majesty's Colonies in America, as well with regard to number of Inhabitants, as to the increase of Trade in those parts of His Majesty's Dominions, and that it is highly necessary, that the greatest care and attention should be had to the good Government of, and regular Administration of Justice in the said American Colonies, His Majesty was graciously pleased to refer the said Representation to a Committee of the Kings most Honourable Privy Council, directing them to consider of the properest means for obtaining this desirable End, and the said Committee having made thereon their humble Report to the King, His Majesty was pleased to direct an Order of Council, a Copy of which is herewith inclosed, and to which your Lordships will please to conform yourselves hereafter.

And Whereas your Lordships are hereby directed to prepare a Draught of an Additional Instruction to be sent

to the Governors of all His Majesty's said Colonies and Plantations, directing them to correspond for the future, with your Lordships only; Excepting in such Cases as may require His Majesty's more immediate Directions; I have His Majesty's Command to signify to your Lordships, that it is the King's Pleasure, you should transmit to one of His Majesty's Principal Secretaries of State, in order to their being laid before the King all such Letters, as shall for the future be addressed to you, from any Governor or other person or persons acting as such, in any of His Majesty's Colonies or Plantations in America, which may in any wise relate to His or their Conduct towards the Governors, or other Chief Officers of any foreign Prince Power or Potentate whatsoever, as also such Letters as may relate to the Transactions of any foreign Governor or other Officer towards them or any of His Majesty's Subjects under their direction and regulation, and also that your Lordships should, in like manner transmit unto one of His Majesty's Principal Secretaries of State, a Draught of such Answers as you shall prepare to be given to any such Letter or Letters as shall fall within the above mentioned description, in order to it's being laid before His Majesty, for His Royal Approbation; And your Lordships are hereby directed not to transmit to any of His Majesty's Governors or other person or persons acting as such, any Orders or Directions relating to his or their Conduct, so far as it may affect, or be any wise construed to affect any foreign Prince, Power or Potentate whatsoever, until the same shall have received the King's Approbation, signified to your Lordships by one of His Majesty's Principal Secretaries of State. As to all other Matters of Correspondence, which shall from hence foreward pass between your Lordships, and the respective Governors in America, you will please to proceed in the usual manner.

And Whereas your Lordships are further directed by the said Order of Council from time to time as Vacancies shall happen by Deaths or Removals to present unto His Majesty, for His Approbation the Name or Names of such

person or persons as your Lordships from the best of your Judgment and Information shall think Duly qualified to be Governors or Deputy Governors, or to be of His Majesty's Council or of His Council at Law, or Secretaries in the respective Plantations; And likewise to present to His Majesty, for His Royal Approbation, the Names of all other Officers which have been or may be found necessary for the Administration of Justice and the Execution of Government there, excepting only such as are, or may be Appointed for the direction and regulation of His Majesty's Customs and Revenues and such as are or may be under the Direction and Authority of the Lords Commissioners of the Admiralty. I have the King's directions to inform your Lordships of His Royal Intention as to the manner of your proceeding herein, Viz^{t} that in all such Cases where the Names of proper persons for any of the Officies abovementioned, have usually been laid before His Majesty in Council, your Lordships are to follow the same method for the future, and in all other Cases provided for by this Order of Council, your Lordships are to transmit to one of His Majesty's Principal Secretaries of State, to be by him laid before the King for His Majesty's Approbation, the Names of such persons as you shall judge the most capable of executing any such Office or Trust as specefied in the abovementioned Order of Council

I am, My Lords,
Your Lordships
most obedient
humble Servant,
HOLDERNESSE.

Board of Trade

ROYAL INSTRUCTIONS TO AMERICAN GOVERNORS.

Copy of His Majestys Additional Instructions to His Governors in America, in 1752.

Whereas the Governors of such of Our Colonies and Plantations in America as are more immediately under Our

Government, are in particular Cases, as well as in general, directed and required by Our Instructions, to transmit unto Us, by one of Our Principal Secretaries of State, and to Our Commissioners for Trade and Plantations, accounts from time to time, of all their Proceedings, and of the Condition of Affairs within their respective Governments. And Whereas it doth appear to Us, that it will tend to the Benefit of Our said Colonies and Plantations, the Ease and Convenience of Our Subjects, and the greater Regularity and Dispatch of Business if the Correspondence be confined to and pass through but one Channel. It is therefore Our Express Will and Pleasure, that in all Cases, Wherein by Our Instructions you are directed to transmit any particular, or general Accounts of your Proceedings or of Matters relative to the affairs of Our Province under your Government, you do for the future transmit the same to Our Commissioners for Trade and Plantations only, in Order that they may be laid before Us.

Provided nevertheless, And It is Our express Will and Pleasure, that whenever any Occurrences shall happen within Our said Province under your Government, of such a Nature and Importance, as may require Our more immediate Direction, by One of Our Principal Secretaries of State, and also upon all Occasions, and in all Affairs whereon you may receive Our Orders, by one of Our Principal Secretaries of State, you shall in all such Cases transmit to to Our said Secretary of State only, An Account of all such Occurrences, and of your Proceedings relative to such Orders.

RICHARD PARTRIDGE TO ROGER WOLCOTT.

LONDON 4: mo: or Apr^{l} the 11th 1752

Gov^{r} Wolcott

I wrote thee last via Boston of the 4th ult, Since which I have rec^{d} none of thy favours. The Parliament broke up the 26th of last month & the King set out soon after for his German Dominions leaving the Royal Authority as to the

Kingdom with a number of Lords appointed Regents as usual.

As the Parliam^{t} was prorogued Sooner than ordinary a pretty deal of business was postponed so that the West India Gentlemen did nothing at all this Sessions in their intended Scheme respecting the Trade with the Foreign Sugar Islands, but its very likely they will prosecute it the next year.

As to the Affair of the Mohegan Indians I don't understand but it remains as it did when I wrote thee last & nothing likely to be proceeded on very soon probably not till next Fall if then, but it must be watch'd which I intend to take care about

And nothing has yet been exhibited at the Council Office of any Application from the Massach^{ts} respecting the Affair of your Boundaries.

I am Thy assured Friend
RICH^{D} PARTRIDGE

I send thee ℔ this Conveyance a Magazine & some of our News Papers &c. to be forwarded by Oliver & Phillips from Boston ℔ a private hand.

[Superscribed] To Roger Wolcott Esq^{r} Governour of the Colony of Connecticutt Windsor via Boston ℔ Cap^{t} Partridge

[Indorsed] From the Agent Aprill 11 1752

MARTIN KELLOGG TO ROGER WOLCOTT.

Stockbridg aprill 14 1752

May it Please yonr honour

I have Rec^{d} Information By a mohawk who Came from Connajuhauree to me aprill 6 Bring an ac^{nt} as follows That some time begining of January Last that the Taweetauwees was Sent to the missesaugees Cootsaugaunees Otawwaundy and our 6 nations to Come to their town and Smoke a pipe with them: accordingly they all went to y^{e} Taweetauwees Town and their Chiefe Said Bretheren: I have Kindled a fire & Cut my tobacco that we may Smoke together:

whilst Smokeing Stood up & Said: Bretheren Ever Since Last Sumer I Sat With my Elbowes on my Knees Smokeing but the Governour of Cannada Kept Twitching my flesh on both Sides: untill I was bloody from my hips Downward: So that I take my pipe out of my mouth & put it under my feet & take up my hatchet: Saying: its true the Governour of Cannada Used to Call us his Children, & whilst we were young it was So: but now I am grown to be a man its no more so for I am a man of War as Well as he: and will fight for my self Though none of you help me: I Do not weep nor Cry to you I Speak whilst the Sun is in its full Strength: Bretheren Severall of our Scalps are Gon to Cannada Since Last Summer: & now I will fight with the French & never make peace with them any more: & Laid Down a Large Belt black Wampum: on which he Said its best to Let y^e^ Tribes Know my design of war against the french forthwith, by al the Tribes & to our English Bretheren Dutch &c but Especially to my English bretheren who have alwayes ben peacable and Kinde to us, Supplying us with al Sorts of Goods: but the french Last Summer Came and took away all their Goods and three English men put them In Irons and Carryed them Whether I Know not, for which I am angry & Can never be at peace with them any more: and Immediately: (after he mentioned his Laying Down his pipe & taking up his Hatchet) sent a nomber of his men to a fort the french had not farr from his town where was one officer & 10 Soldiers and five great Guns mounted: when they Come to y^e^ fort they found y^e^ officer & 2 Soldiers only whom they Kil'd Instantly & Kept the fortes themselves. Which they Still Keep: and after a while they Sent out & Catcht one of the 8 men y^t^ were a hunting Cut off his Ears Sent him to Cannada to tell the Governour what he had Don & Said as the Governour Could Warr he might have Enough of it and bid the Governour Come with an army big as he would They were Ready for him: and Said Soon as y^e^ water was Clear of Ice he would fill the River with Cannoes: & Goe toward Cannada farr as oswagox: and if they should meet with a french army In their way they would fight

them & he that Can Charge quickest will fire first: and said as I Goe by a house on this side ye Great falls Ile Kick it Into ye Great River. they have Desird Colonel Johnson to provide them Victuals arms ammunition &c & Send them to oswago: where he will Come as aforesd Then Layd Down a Lesser belt Which was to Desire Col Johnson Soon as possible to build a fort for them at Cheenoontawanee or Sennacas Country Suposing al the french would be Gon for a while: and Said if Col Johnson Should Delay two Long ye french might hinder him doing of it

after ye Chiefe of ye Taweetawees had Don Speaking ye 6 nations and all ye other Tribes Stood & said to him we take you by ye hand and will Joyn with you In war against the french & will be one with you. Colonel Johnson has promist to provide Victuals &c as desired & build a fort at Cheenoontawanee as ye tawetawe Chiefe had desired.

This post Sayes he was Sent by 2 Chiefs of ye mohawks: Col: Johnson to me that I might make it Known to our Governors That they might make Reflection thereon

I have Sent post to Boston to Carry this news & now Send to your Honour hoping there will be wisdom Imparted to the wise: that Some Good Improvement may be made of this advantageous Scituation of affairs

from ye most faithfull of your honours Servants

MARTIN KELLOGG

ye honourable Roger Woolcott

[Indorsed] Capt Kellogs Letter Aprill 14th 1752 Recd Aprill 22d

THOMAS HILL TO COLONY OF CONNECTICUT.

Duplicate

Whitehall, April 15th 1752.

Gentlemen,

Four Acts having been passed in the two last Sessions of Parliament wherein the British Plantations are concerned, Vizt.

An Act for regulating the Commencement of the Year, and for correcting the Calendar Now in Use.

Anno vicesimo quarto Georgii II. Regis.

An Act for continuing the Act for encouraging the Growth of Coffee in His Majesty's Plantations in America, and also for continuing under certain Regulations so much of An Act as relates to the Premiums upon the Importation of Masts, Yards, and Bowsprits, Tar, Pitch, and Turpentine.

An Act for avoiding and putting an End to certain Doubts and Questions relating to the Attestation of Wills, and Codicils concerning real Estates in that part of Great Britain call'd England, and in His Majesty's Colonies and Plantations in America.

An Act to amend An Act made in the last Session of Parliament intituled An Act for regulating the Commencement of the Year and for correcting the Calendar now in use.

The three last pass'd the 26th of March 1752.

I am directed by my Lords Commissrs for Trade and Plantations to send you the inclosed printed Copies of them for Your Information and Government in the several Matters therein contain'd. I am,

Gentlemen,

Your most Obedient humble Servant,

THOS HILL

Governor and Company of Connecticut

[Indorsed by Wolcott] From Mr Hill Aprill 15th 1752

CONNECTICUT AND RHODE ISLAND COMMITTEES REPORT ON BOUNDARY LINE WITH MASSACHUSETTS.

We the Subscribers being appointed by the General Assemblys of the Colonys of Conecticutt and Rhode Island respectively to examine into all the Matters of Fact Records Evidences Papers and Circumstances relating to the Northern Bounds of the said Colonys towards the Province of the Massachusetts Bay with Authoritys in behalf of each of said

Colonys to Join together and Correspond in the Prosecution of this Matter. And in Pursuance of the things Committed to us we met together at Hartford in the Colony of Conecticut and having duly examined to the best of our Abilitys the whole of this Dispute have agreed to Jontly make the following Report

That We find King Charles the first in the fourth Year of his Reign Granted a Charter to the Masachusetts Colony Bounding them Southerly in these words and a Certain other River there Call'd Charles River being in the Bottom of a Certain Bay there Call'd Massachusetts Bay and also all & Singular those Lands and Heredittiment whatsoever Lying within the Space of three English miles on the South Part of S^{d} Charles River or of any & every Part thereof by which description Compared with the other Parts of S^{d} Charter it Plainly Appears that the Place or Point which is three English miles South from the most Southern Part of Charles River is the Place where a Line ought to Commence and Run from thence due west to form the Southern Boundary of S^{d} Province

That afterwards King Charles the Second in the fourteenth Year of his Reign Granted the Charter to the Colony of Connecticut and in the fifteenth year of his Reign Granted his Charter to the Colony of Rhode Island and in his S^{d} Charters bounded both S^{d} Colonies Northward on the South Line of the Province of Massachusetts Bay

That the Said Colonys of Connecticut & Rhode Island Lying far Distant from the Place or Point whence the S^{d} Massachusetts South Line ought To Commince were utterly Ignorant About it nor doth it Appear they ever Concern'd themselves About it till the Inhabitants on both Sides began To Settle Pretty Near the Place where it was Supposed the Line would Pass and many Disorders & Confusions Arrising among the Borderers made it necessary To find where the Dividing Line between the Province and y^{e} S^{d} Colony ought to be which Occasion'd both the Colonys of Connecticut & Rhode Island to Apply to the Province to have the S^{d} Line Ascertain'd & Marked out And that when in order

thereto Commissioners were for that Purpose appointed first by the Colony of Rhod Island in the year 1710/11 & by the Colony of Connecticut in the Year 1713 to meet with Commissioners Appointed by the Sd Province with intent to find the true Place where the Sd Bay South Line ought to Commence when they for that Purpose Meet the Province Commissioners informed them that the Point or Place where their South Line ought to Commence had Long Before in the Year 1642 been found out & fixed by Nathll Woodward and Solomon Saffery Skilfull Artist by them Appointed for that Purpose and Also Shewed forth a Plan or Mapp as they then Ascerted of the doings of the Sd Woodward & Saffery on which was decypherd the Southern Part of the Sd Charles River and a Station said to be by them Erected Standing three miles & no more South from the Souther[ ] Part of the Said Charles River and Confidently Affirming the Sd Measure to be Rightly made and the Sd Station to be Truly fixed and all the Matters being out of the knowledge of the Commissioners of both Sd Colonys but they by giveing Credit to & believeing the Sd Province Commissioners were there by Induc'd the Commissioners for Connecticut on the 13th of July 1713 & the Commissioners for Rhod Island Finally in October 1719 to Agree that the Stake or Station Set up & Erected by the Sd Woodward and Saffery in the year 1642 Standing within three miles of Charles River Should be the Place for the Sd Province South Line To Commence at & fully believeing as they had been told & as by the Sd Plan it Appear'd that the Station was no more than three miles South from the Southermost Part of Charles River Agreeable to the Masachusetts Charter

That in Consequence of the Said Agreement Enter'd into in Manner aforsd the Sd Colony of Connecticut in ye Year 1713 & the Colony of Rhod Island in ye Year 1719 Appointed Persons Call'd Riding Commissioners to Meet with Persons in the Same Character Appointed by the Sd Province to go & Begin in the Place in the Said Agreement mention'd three miles South from the Southermost Part of Charles River and Mark out the Sd Dividing Line Accord-

ing to the Respective Charters who Meeting with the Sd Province Riding Commissioners & Not being Acquainted in that Part of the Country Nor haveing Any knowledge of the Place where the Sd Woodward & Safery Station was the Sd Province Rideing Commissioners on the Part of the Province deceitfully Carryed them to a Place on Wrentham Plain & Affirmed that there the Station Erected by Woodward & Saffery had formerly Stood & the Commissioners on the Part of the Sd Colony not knowing but Really believeing it was the Right Place & within three miles of Charles River thô in truth the Place So Shown them was Seven miles & fifty six Poles South from the Southermost Part of Charles River did there begin to Run & Mark out the Sd Province South Line & in Consequence of ye Line so Run the Sd Province have hitherto Exercised & held the Jurisdiction

That the Proff of those Severall facts are Clearly made Appear the first by the Massachusetts Charter ye Second by Connecticut & Rhod Island Charters the third by force of the Agreements [ ] & the Copy of the Pretended Plan of Woodward & Saffery the fourth that the Place where the Riding Comsrs began is Really Seven miles & fifty Six poles South from the most Southermost Part of Charles River by the Plan or Map drawn by Mr Harrison and Sworn to by Henry Harris Esqr & Mr Israel Wilkinson who have Actually and Accurately measured the Sd Distance

That the ye Place they measured from is Really the Southern Part of Charles River is Proved by the original Grants of the town of Medfield Wrentham Medway Bellingham & Holliston all towns within the Sd Province and a great Number of Grants of Land to Private Persons all which Serve to shew what is & Allways was Calld & Understood to be Charles River and Also shew that the Small Stream now Call'd Mill'd Brook & Pretended now by the Province (to Cover over their above mention'd Deceit) to be the Southern Part of Charles River, is only a Small brook & was Never at any time Call Charles River But was all along known by the Name of Jacks Pasture Brook and Mill Brook & Can No more properly be Calld a part of

Charles River than the Waters in the Clouds which may happen to fall in Such place as to be Conveyd to the Sea in the Channels of Charles River may fittly be Call'd a part of Charles River

That an Agreement Procured and Perfected in the Manner aforesd is So far from Altering the true Lines and Limits of Jurisdiction and depriveing or Abridging the People of those Priviledges and Advantages Granted them by their Sovereign that we are Humbly of Opinion that it is not in the Power of any to whome the Right of Juresdiction is granted by the Crown to Transfer the Same to any others (thô it might be Pretended to be done on the most Reasonable & Equitable Motives and on the most Certain Knowledge for yt that should be Allow'd all the Severall Provinces & Colonies in America might Transfer their Jurisdiction and thereby Errect one dangerous Government without the knowledge of and Contrary to the Express intention & Interest of the King who first Granted such Right of Jurisdiction but Never made them Assignable

That it appears to us Clearley yt ye Provins of The Massachusits Bay Have all along & Still do Hold ye Jurisdiction of a Tract of Land four mils & fifty Six Pole: In Bredeth & ye whol Lenght of ye Coloney of Conecticott & Rho Island, which They Have No Right to ye Jurisdiction of & are Humbley of The oppinion yt it is Advisabel for sd Coloneys of Conecticott & Rhod Island To make Their application To ye King: Their Sovergin Praying yt He wold Be Graciousley Pleased To order yt ye South Line of ye Provins may be marked out according To ye True Intents of their Charter & yt ye sd Colonys may also Hold & Enjoye The Priveledges Granted Them By their Respective Charters

Lastely We Humbley Report it as our opinion that ye State of ye Cases of ye Coloney of Conecticott & Rhod Island weth ye Sd Provins Doth appear to Be So far Similar That They may Be Safley & fitley Joyn Together & Correspond in ye Prosecution Theirof So far as to Procuer an order from ye Crowne To Have ye Provins South Line Rightly Staked

& y^t y^e Nessarey Expenses arising their on Be Payed Equeley Betwen The S^d Coloneys all Which is Humbley

HARTFORD: Apriell y^e 4 1752

STEP. HOPKINS
THOMAS ARNOLD

In the upper House
The aforegoing Report is approved
Test GEORGE WYLLYS Secret^y

[Indorsed] The Reports of y^e Com^tes of y^e Coloneys Aprill 4^th 1752

RICHARD PARTRIDGE TO ROGER WOLCOTT.

5^th mo 21^st 1752.

above is Copy of my last to thee of the 11^th Ult. to which I referr having heard nothing Stirring yet further in the Affair of Mason &c^a

This accompanys a Magazine for last month with a News Paper or 2 of which thy acceptance is desired from thine as above

R^D PARTRIDGE

REPORT OF COMMITTEE OF THE GENERAL ASSEMBLY.

To the Honorable the General Assembly now Sitting at Hartford.

We your Honours Committee Appointed to take into Consideration, the Letter & Copy of the Act of the Kings Majesty, in Council, lately received from the Board of Trade & Plantations; And also the Letter & Accompts receiv'd from M^r Agent Partridge, and Report our Opinion thereon.

Take leave to Report as our Opinion, that his Honor the Governor be desired, to write In the Name of the Governor & Company of this Colony, to the Lords Commissioners for Trade & Plantations, Acknowledging the receipt of their Letter; and the Copy of the Order of the King in Council; containing Regulations with Respect to his Majesties Colonies & Plantations, in America; And Signify

to their Lordships, the grateful Sense this Government hath, of his Majesty's Gracious care of his Plantations.*

That the Governor also be desired to Acquaint Mr Agent Partridge, that this Assembly well Approves of his Conduct with Relation to the West Indy Merchants Solicitation, And Masons Affair; and direct him to take all Prudent care to prevent their Success.

That having Examined his Accompts, and finding no mistake therein, do Approve the same, save only that his Honor the Governor, do signify to him, that we hope he will Obtain Considerable Abetments on Mr Sollicitor Paris's Bills; which appear to us, to be Charged very high.

Your Committee also having taken into Consideration the Good Services of Docr Avery in receiving And paying our Cape Breton money, are of Opinion that this Assembly Grant him the Sum of Three Hundred Pounds, as a Gratuity for his Service, and Trouble in that Affair, to be deducted out of the mony in his hands, And that he be informed thereof, and Desired to send his Accompt, deducting that Sum, that the Governor may know the Ballance remaining in his hands to be drawn for. †

All which is humbly Submitted by Your Honors Humble Servts

Hartford May 27. 1752.

Thos Fitch
G: Saltonstall
Joseph Pitkin
Jabez Hamlin
Jona Huntington
John Hubbard
J. Buckingham

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*There is another draft of this report, of even date with this, approved in the Lower House only, in which the following appears in place of the last clause in the above paragraph: "And Signifie to their Lordships that this Government will take Care Duly to Observe the Contents thereoff So far as the Same relate to this Colony."

†The other draft of this report has the following in place of this paragraph: "As to the Postscript In the Agents Letter Relating to a Gratuity to Doctr Avery, we are of Opinion that the Report of the Committee Last October is a proper Answer."

In y^e^ Lower House
The foregoing Report read Accepted & Approved And Ordered to be Transmitted to y^e^ Hon^ble^ upper house

Test Jn^o^ Fowler Clerk

In the Upper House
The foregoing Report read accepted & approved

Test George Wyllys Secrety

ROGER WOLCOTT TO EARL OF HOLDERNESS.

Hartford May 30^th^ 1752

My Lord

Your favour of the 26^th^ Aug^t^ 1751 Recd and Communicated to the General Assembly of this Colony & am In their Name heartily to Congratulate Your Lordship on your being appoint^d^ by his Majesty principal Secretary of state for the southern department & to advise your Lordship they have a most gratefull Sence of the assurance you have given them that their addresses shall punctually be laid before the King & that you will Honour them by transmiting such Instructions & orders as his Majesties may think fit to give for their Guidance & direction your Lordships kind assurance Encourages us to reqest and truste In Your favourable notice of this Colony & your good offices for them which will be gratefully acknoledged by and most obliging to the said Governour & Company in whose Name I subscribe and am with the greateste Respects

Your Lordships
Most obedient Humble Servant
R WOLCOTT

To the Earl of Holderness

[Superscribed] To the Right Honourable The Earl of Holderness One of His Majestys principal Secretarys of State. London.

RICHARD PARTRIDGE TO ROGER WOLCOTT.

London 6 mo: or June 2d 1752.

Govr Wolcott

I wrote thee a few lines last of 21st ult. via New London—Since which I have recd none of thy favours—Capt Elihu Hall is lately returned home with Capt Burr for New London & carrys with him Copy of some Observations wrote the Board of Trade by one of the Commrs appointed to hear the last Cause of the Mohegans with the Colony—which he will doubtless acquaint thee with whereto it may be proper to answer & make some remarks on, in as much as I am apt to think we shall have time to spare before any hearing can be had here, for I dont apprehend there is any great likelyhood of that before Mason gets the Money he expects from the Treasury which is not yet done nor a probability of it soon by what I understand.

I have lately had a message from one of the Board of Trade hinting that its likely at the next Sessions of Parliament some Endeavours will be used to get the Sugar & Mollasses Act revived again (as its near expiring), but that on the other hand probably some means will be used to postpone or drop it & to have a New Act passed lowering the Duty of Mollasses to 2d or 1d Sterl a Gall in lieu of the present duty wherefore it may be necessary for me to have Instructions thereabout, in the mean time I remain with kind Respects to the Gentlemen of the Council & House of Representatives

Thy & their Assured Friend
RICHD PARTRIDGE

[Superscribed] To Roger Wolcott Esqr Governor of the Colony of Connecticutt via Rhd Island ℔ Capt Stoddard
[Indorsed] From the Agent June 2 1752

ROGER WOLCOTT TO RICHARD PARTRIDGE.

Windsor June 10 1752

Sr

Since my Last to you I have been favoured with yours of the 29th of Novr and 28th of Decr past

I have already Informed you of the Mischeviousness of Massons Designes he seems to be born to spend His Majesties money to suport a designe to ruin his subjects of which designe he is the sole Contriver and in which he has no other views then his own profitt only

The book Containing the Case was Left in the Custody of Mr Hosmanden at New york of whome we purchased it at a dear Rate It was Copyed and sent to Mr Palmer who Acknowledged the Receit of it in his Letter to Govr Law (now before me) of Sepr 1st 1746 I doubt the Embezlement of this book has been thro the too much Carelessness of his Execrs

I have with much trouble and Costs Gott it again Transcribed and it Accompanys this to you Masson being the Apellant it will be needed only to Inform your Counsell for which I hope it will be suficient

Chief Justice Morris took exception to some particular evidence But Mr Hosmanden who Indeed appeared very singular from the Rest on the Tryall was the only Comissioner that protested agt the Judgment be it he or any other man that has writt home that we refused to take out the book it shows him very deeply Engaged in the Case and so may be less unaccountable in him than another man

I have Laid your Letters before the Asembly at their sessions in may they Gratefully Accknowledge your Good Conduct in our Afairs and have Directed mee in their name to desire you to do what you Can to prevent Masson and the West India Merchants succeeding in their Attempts

They have Also Examined your Accts and Aproved them that Error they formerly mentioned was in the Casting the Acct but upon the Review they find their own mistake only they think Mr Solicitr Parishes bill is Charged very high and desire and Expect you will obtain a Considerable Abatement in it

Collo Williams is a Last returnd with his Lady safe to his family: The Small pox and oher sickness is very mortall and Distressing at Boston and the Town Adjacent

you will please to Deliver my Letters Comeing to you with this as Directed and Give my service to Capt Hall if still with you

the Prints you sent mee are very Entertaining to my Inquisitive mind accept my hearty thanks for them who am

Your very Humble servt

R WOLCOTT

To Richard Partridge Esqr

[Indorsed] To Mr Agent Partridge June 10 1752

ROGER WOLCOTT TO RICHARD PARTRIDGE.

Windsor June 10 1752

Sr

I have not been able fully to Colect the Evidence and state the Case in Controversie between us and the Massachusetts about the line. But forasmuch as our Antagonists have taken from our Record a Copy of the Agreement made by the Comissioners July 13th 1713 and Mr Bolan is Waiting Every opertunity to Gitt something done in their favour I think it Neccesary to Give you a short view of the Case the better to Enable you to prevent a surprize

King Charles the first in the fourth year of his Reigne Granted the Massachusets Charter bounding them on the south at three English miles south from the southermost part of Charles River and from thence to run West

The first planters in Conecticutt setled 1636 formed themselves Into a Government and Granted the Town of Windsor to Extend on the North to Kitle brook

The Massachusetts pretend that in 1642 by their apointment Woodward and Safry run their south bounds comenceing their line at 3 Miles Distance south from the southermost part of Charles River and from thence run West to Bisells house standing on Conecticutt River in Windsor: But they have never been Able to shew any report of that survey Nor Evidence of the place Where it began and I Verily believe Woodward and Safry Never did any thing more then to sett up a Quadrant at two or three places for the Inland

Country was then Wholy unsetled and I have often heard the Antient people that Lived in Windsor 1642 say Woodward and Safry Came from the East by the sea side and sett up their quadrant at Bisells house and said they were in the same minite Where they sett out and it is observable that the Massachusetts Never bounded any of their Grants on this line be that as it will tis Certain this runing of Woodward and Safry haveing Neither the Grant of the King Nor the Consent of the partys to suport it is in itself a Nullity

King Charles the second Granted the Charter to Conecticut in the year 1662

From this time Conecticutt made Complaints that the Masachusetts made Grants upon them and Moved to them to Join in setleing the line but were not regarded

In 1671 Conecticutt Granted to the Town of Windsor two Miles North of their Antient bounds

about 1684 The Massachusetts Granted the Towns of Sufield and Endfield in breath six Miles south from the Mouth of Long Meadow brook which Laped them a Mile and Eight rods on the prior Grant mad by Conecticutt to Windsor

upon this there Arose a fierce Contention between the borderers to defend their Claims I my self have seen about 150 men mett to try their titles according to the Ancient Custome by battle many blows Were Given to the Mutuall Exasperating of His Majesties subjects against one another upon this Comissioners Were apointed by both Governments to run the Divissionall line and to setle the property on the Borders

The Comissioners Met at Boston in the year 1713 and on the 13th of July Drew up their Agreement Wherin they at first declare and Describe that Woodward and Safry began their line at three miles Distance south from Charls River the southermost part of it and Caryed the line to Bissells house Then they Agreed that the line shall Comence at Woodward and Safry station and from thence run West According to Charters that all the Land that shall be found Granted by the Massachusetts south of the line shall be held

to the Grantees And that Conecticutt shall have an Equivolent for the soill and that if upon runing the line Woodstock Endfield and Sufield shall be found south of it the Jurisdiction of them Towns shall belong to the Massachusetts and that Rideing Comissioners shall be Apointed to run the line

The same year Riding Comissioners Were apointed but they Instead of Going to the place above described at 3 miles south of the southermost part of Charles River Were Led by the Comissioners from the Massachusets to a place on Wrentham plain suposed to be the former bounds between the Colonys of the Massachusets and Plimouth and is seven miles and fifty six pole south of the southermost part of Charles River and here our Comissioners were told was the station where Woodward and Safry began in this part of the Countrey our Comissioners were strangers and Imposed upon to run from this place without Examining at what Distance it stood from the southermost part of Charles River

And here they began and run West and found the Towns of Woodstock Sufield and Endfield to be south of the line which with the other Grants that the Massachusets had made south of the line came to 107893 Acres for which Conecticutt has had an Equivalent for no more then 79785 Acres and more then half of Which is taken up in the province of New Hamshire

The Error that the Riding Comissioners made at first setting out was not soon Discovered the place was so far Distant from us but the Towns of Woodstock Endfield and Sufield haveing this Apparent Evidence that they Were within this Colony Claimed the benefitt and protection of the Charter Whereupon this Government often Aplyed to the Massachusetts to Join with us in setleing the afair according to Right but these Motions have been utterly Disregarded by them and the Inhabitants of those three towns have for severall years Enjoyed the benefitts of our Charter in peace

But the line is not yett setled the Controversie is yett depending and since we Can have no Answer to our repeated Motions to the Massachusetts for a friendly setlement of it we are forced to Aply to the Throne for Remidy

In this Case there are two Matteriall questions to be Considered

The first Whither the Jurisdiction is altered by the agreement of the Comiss[r] July 13 1713

on which I would observe

1 That the Assembly Never Gave them Nor pretended to Give them any power to alter Jurisdiction they were to run the line and setle the property on the borders but Not a Word of Altering Jurisdiction

2 Had the Asembly pretended to Give them any such power it would have been utterly Void The King is the fountain of Authority and the plantations hold their Jurisdiction by his Charter if they should agree to Change the place of their Jurisdiction or put all their Charters together and thereby Erect one Exorbitant and Dangerous Jurisdiction Contrary to the Care that the King hath taken for the security of his Government and the Good of his people this Could be No Authority Granted by the King but Contrary to it Therefore Void

The second question is Whither we are or ought to be holden to the place where the Rideing Comissioners began their Line 1713

on which I Would observe

1 That it is Evident this place was not the place sett in the charter but is four Miles and fifty six pole south of it

2 We have no Evidence or Discription of the place where Woodward and Safry began their line but What we have from our Antagonists and they have Given us only two Marks to find it out by in their Agreement July 13 1713

The fact that it stands three Miles south of the southermost part of Charles River but the place on wrentham plain Where the Comiss[rs] began is seven Mile and fifty six pole south of it

The Next is that it stands in a due East line from the famous Monument Bissells house in Windsor but this place on wrentham plain No ways Answers this Discription for it is four (?) miles and ninety four rods North of an East line from Bissells house

Again if the Rideing Comissioners had been Instructed by their Constituents to run the line four Miles and fifty six rods south of the place sett in the charter this Could have been No other than an Agreement to Alter the Jurisdiction for that breadth thoroghout as far as the two Governments Join and therefore void much more so when the Comissioners have done it without any such Instruction and purely by a Mistake

S[r] this short view is only to Lead you so far into the Case as to Enable you to prevent a surprize if it be Attempted I shall in a short time send you the Case with the Evidence to suport it Then you will have a More Ample Information of It I am

your Very Humble serv[t]

R WOLCOTT

To RICHARD PARTRIDGE Esq[r]

[Indorsed] To M[r] Agent Partridge June 10 1752 A short state of the Case about the line

ROGER WOLCOTT'S CONSIDERATIONS ABOUT THE MASSACHUSETTS LINE*

N Bene 1 That the southermost part of Charles River is so far Eastward of the East bounds of Conecticutt were not at all acquainted with it

2 That the line run by Woodward and Safry 1642 was run by the orders of the Massachusetts only

3 That it is declared and Consented to that Woodward and Safrys line Commenced three miles south of the south-

* No date can be assigned to these "Considerations" nor can it be ascertained whether or not they were sent to the Colony's agent in England. They are placed here for the sake of comparison with the "short view of the Case" given by Wolcott in the letter next preceding.

ermost part of Charles River and any and every part thereof and that this is the whole Description of the place where the said line Comenced

4 That the Comissioners then Agreed to run from that place or station Due West according to the Charters That is the line to Comence three miles south of the southermost part of Charles River or any or every part thereof and a due west line from thence which is exactly According to the Charters

This Agreement establisheth the proporty of the soil to the Grantees near the line altho Granted by the Goverment to which it did not belong by the Charter the other Government to receive an Equivalent

N B Tho we do Not Dispute that the property is hereby Legally setled and the Right to an Equivalent but since the Massachusetts refuse or neglect to Grant it for the Land Lying West of Conecticut River being 28008 acres we ought to be Impowerd to recover it or hold the Land till they make us an equivalent

The Agreement Transfers the Right of Jurisdiction over the Inhabitants of the Towns of Woodstock Sufield and Endfield out of which Somers is since taken to the province of the Massachusetts and the Right of Jurisdiction over the Inhabitants windsor and Simsbury to Conecticutt if the line should run south of them

N B This Clause in the Agreement is Ipso facto void because Neither of the Governments have power to Transfer the Right of Jurisdiction

N B The Riding Comission^{rs} or those that run the line instead of begining to run from a place 3 miles south of the southermost part of Charles River according to the Charters and the Agreement July 13th 1713 began at a place in Wrentham plain south of the southermost part of Charles River and run the line due west from thence

N B The Runing of the line by the Rideing Com^{rs} was Never Approved of by either of the Gover^{ts} be sure it was not by Conecticutt Nor ought it ever to be aproved nor Confirmed for

These Comiss^rs from Conecticutt were Certainly Imposed upon and led into a Mistake to begin the line at this place so Contrary to the Charters and Agreement

If it be here objected That by the Agreem^t of July 13 1713 the line was begun at Woodward and Safrys station stand where it will Answ^r If that agreement had Described Woodward and Safrys station to be any visible monument some Colour might be for this objection But the whole Description is Comencing three miles south of the southermost part of Charles River

But never did mencon Appear that Woodward and Safry at any other place than that mentioned in the Agreement that is three miles south of the southermost part of Charles River.

If it be further objected that the Rideing Comiss^rs from Conecticutt were the same men that made the Agreement July 13^th 1713 therefore they understood and Intended this to be the station they were to run from

Tis Certain they Never tryed it by Measuring and therefore Must be Imposed upon having before agreed they should begin to run from Another place

Admitting the Comissioners from the Massachusetts had Imposed upon the Comiss^rs from Conecticutt as to Intend the line should begin 7 miles & 56 rods miles south of of the southermost part of Charles River Instead of three miles and then to Incert in the Agreement that they were to begin at three miles Distance and so report it to the two Governments that the agreement might be Confirmed this is such a Manefest fraud supression of the Truth and suggestion of falshood as will render the Whole Void

Conecticutt Confirmed the written Agreement of July 13, 1713 as it was that is to say the line to Comence three miles south of the southermost part of Charles River therefore they are Not holden to any thing but the letter of that Agreement

If it had been plainly Incerted in that agreement that the line should Comence 7 miles south of the southermost part of Charles River and Confirmed by both Governm^ts it

would have been void as to the Jurisdiction which is the only thing now in question for this would have been a Transfering the Jurisdiction from Conecticutt to the Massachusetts which was beyond the power of the Governm^{ts} to do
[Indorsed] Considerations offered about the line with the Massachusetts

ROGER WOLCOTT TO BENJAMIN AVERY.

Windsor June 10th 1752

Sir

I have not had the favour of a line from You Since my Last w^{c} I Trust You have rec^{d} having had an Answer from our Agent to mine Sent to him by the Same Packet By the Inclosed Coppy You will See The Assembly have acknowledged Your good Services done us, in the Sum of Three Hundred pounds and Their desire You will Intimate to me Whether it be Satisfactory, And to Transmitt to me a Coppy of Your Acc^{te} This will doubtless appear to You to be very proper That so nothing may be left undone on our Part that may be Agreable to You And to Prevent my Drawing too many Bills Upon You. The Assembly are Deeply Sensible of the Many Obligations You have laid upon us flowing from a Disposition in You to do Good; This They are desirous may be so Cultivated as to Continue, & be Established, And be Assured This will give the Greatest Satisfaction to

Your most Obliged &
very Hum^{le} Ser^{t}
R: WOLCOTT

To D^{r} Benj^{A} Avery
[Indorsed] To D^{r} Benj Averie June 10 1752

ROGER WOLCOTT TO JOSIAH WILLARD.

Windsor June 10th 1752

Sr

Upon Receiving your Act of Assembly of May 29th and your favour of Octo 11th 1751 I Laid them before our Assembly at their sessions in October Last

The Assembly Impowerd Collo Wyllys and Mr Daniel Edwards to draw out of the Treasury a sum Not exceeding £500 old Tenor for the benefitt of the Indians

I then took the motion from your Assembly to be that we would do an act of Charity to a third party and haveing done what I Could in it held my self Content

Untill upon receiving yours of the 13th of Aprill 1752 I understood that it was the opinion of your Gentlemn that When we did our Alms we should let our left hand know What our righ hand doeth This tho Not so exactly according to Law yet I Confess is very much According to Custome

But upon further Consideration I think it would have been proper for mee to have Lett your Gentlemen know what we had done and must beg their Pardon for that Omission

Collo Wyllys tells mee the Money is partly drawn tho not all I Wonder the Trustees the Province Imploys in that Afair and Who have drawn part of the money have Not Informed your Assembly of it

May such a Laudable designe Go on and prosper there is a vulgar report that some have sinister views that are in the Management but this is no Wonder since every Good Work and Person Concerned in it are sure to meet with Reproach I heartily Confide in the Wisedom and Integrity of Every person your Assembly have Intrusted in it

Pray Give my service to His Honr and the Gentlemen of your Asembly and be Assured that I am Their and your

Most obliged
very Humble servt
R WOLCOTT

To J Willard Esqr

RICHARD PARTRIDGE TO ROGER WOLCOTT.

LONDON 6th mo: or June: 24th 1752.

Govr Wolcott

I wrote thee ℔ Capt Stoddard via Rhode Island of the 2d Inst. to which I refer since that I have recd duplicates of thine of 21st & 26th Decr 1751. which I answered in mine to thee of 11th of 3d mo March last, & in my said Letter I mentioned Something of the Office of Secry of States being divided & that part thereof which relates to the Plantations invested in the Earl of Hallifax first Commr of the Lords of Trade (but it is in the whole Board) & I suppose they have wrote to thee among other Govrs accordingly, & leat thou & the Genl Court should have mistaken the Order of the King in Council intimated by that Board in their Letter to thee as has been the Case of Rhode Island who were allarmed at it as if the Rights of their Charter were invaded,—I thought proper to give thee the genuine Sence thereof I mean that part whereby "the Lords Commrs for Trade & Plants were impowered to Nominate the Governour, Dep: Govr, Magistrates, Secry &c which are to be Commissioned by his Majesty—Which upon inquiry I have been fully informed of at the Council Office & the Plantation Office which may be depended on is no more than this—That the said Lords of Trade having been lately invested with a part of the Office or Authority relating to the Plantations which heretofore belonged to the Secry of State as aforesaid, That such Govrs who used to write & send over their Acts &ca to the Secry of State as well as the Board of Trade shoud now send to the Lords of Trade only, & who indeed are to have the Nomination of Govrs & other Officer usually Commissioned by the King—But this Letter of theirs which is a Circular Order to all the British Governmts in general does not in the least Affect Charter Govrs or Governmts but such Provinces only as are under the Kings immediate Authority and Governmt—& to this purpose the matter has been explained to me, at both the aforesaid Offices—But indeed the thing Speaks itself & cannot rationally be taken otherwise, for its well known that its out of the Power of the King &

Council to make such an Infraction in a Royal Charter without a Legal Proceedure first had by Quo Warranto or Act of Parliament.

I am with due respects
Thy assured Friend
RICH^{D} PARTRIDGE

[Superscribed] To ROGER WOLCOTT Esq^{r} Governour of the Colony of Connecticutt Windsor
[Indorsed] From the Agent June 24 1752

ROGER WOLCOTT TO THE COMMISSIONERS FOR TRADE AND PLANTATIONS.

WINDSOR June 30 1752

My Lords

This Comes to Acknowledge I have Received His Majesties order in Councill of the 11th and your Letter of the 13th of March last past which I have Laid before our Generall Asembly. Who have desired me to Assure your Lordships that they have a very Gratefull sence of His Majesties Care of the plantations and desire he would Graciously Accept their hearty thanks for the same

I would further Certify your Lordships that this Colony is a place of No Great Trade The Inhabitants are almost Wholly Imployed in Husbandry by which they subdue the Country and Raise provisions to pay for the Woollens and other dry Goods they are under a Necessity to receive from Great Britain

But provisions being No Adequate Medium to answer thoe we Transport it to the West India sugar Islands and some to the Neighboring Governments to purchass Money or bills of Exchange wherewith to Make returns to our Mother Countrey

The Most Important Afair Now before us is the Drawing in our bills of Creditt According to the time se us by the Parliament this puts us to [ ]e Dificulty by reason of the Low Estate of the Inhabitants in this New and Cold Country but we hope to Master it and thereby prevent His Majeste from having any uneasiness upon that Acc^{t}

I shall be alwaies ready to Transmitt to you an Account of the Occurences in this Colony according to His Majesties pleasure signifyed in His order and am your Lordships

Most Obedient
Very Humble servt
R WOLCOTT

To the Lords Comissioners For Trade and plantations
[Indorsed] The Lords Comissioners for Trade and plantations June 30 1752

LITCHFIELD COUNTY CONSOCIATION MEETING.

At a Conscociation Meeting of the Churches within the County of Litchfield and held in Litchfield on July the seventh A D 1752 by Letters missive from the Revᵉᵈ Mʳ Collens Minester of the County Town for all sᵈ Churhes to meet at said Time and Place by their respective Pastors and Messingers in Order to form themselves into one or more Consociations and agree upon Rules of future Conduct. Present

The Revʳᵈ Elders Messᵉʳˢ	Worthy Messingers
Anthony Stoddard	Colº Joseph Minor Esq: Woodbury
John Graham	Deac Danˡˡ Curtiss Southbury
Timothy Collens	Majʳ Eben Marsh Esq Litchfield
Solomon Palmer	Mʳ Benjª Newcomb Cornwell
Andrew Bartholemew	Deac. Danˡˡ Phelps Harwington
Nathˡˡ Roberts	Deac. Eben. Lyman Torrington
Shephen Heaton	Deac. John Beach Goshen
Joseph Belamy	Captᵗ Joseph Hooker Esq Bethlehem
Thomˢ Canfield	Deac. John Baker Roxbury
Cyrus Marsh	Timº Hatch Esq. Kent
Jonᵗʰ Lee	Captᵗ Joseph Bird Esq. Salisbury
Danˡˡ Brinsmaid	Deac Increase Mosely Esq. Judea
Nathˡˡ Tayler	Deac Samˡˡ Canfield Esq. N. Milford
John Searl	Captᵗ Jnº Williams Esq. Sharon
	Mʳ James Beebee Canaan

The Revʳᵈ Mʳ Stoddard chosen Moderator Mʳ Graham Scribe The Moderator opend the meeting by Prayer. Then

Voted that all the Churches within this County be and hereby are for the present Constituted one Consociation. The Rev^rd M^rs Stoddard Graham & Collens and of the Messingers Cap^t Williams Cap^t Bird and Deac. Canfield were Chosen a Comm^ttee of Overtures to draw up and lay a Plan of Rules for the Regulation of our future Conduct. Adjourned till tomorrow morning at eight of the Clock. Met according to Adjournment. Then the Comm^tee laid in the following Rules (Viz^t)

1^st That there be for the future a stated Convention of this Consociation anually at one of the Clock afternoon in such Place within this County as shall from Time to Time be appointed by the Body besides intervening Conventions.

2^ly That the Present Members of the Consociation as well the Messengers of the Churches as the Moderator and Scribe stand in the same Capacity till the next stated annual Meeting and so hereafter Members Moderator and Scribe of every Stated annual Convention to sustain the same Capacity till the next stated anniversary Meeting.

3^ly That in all occasional Meetings of this Consociation not less than the Major Part of all the Churches within this County shall be looked upon as the Body when convened unless in Cases of Ordination where all have been Notified or where there has been a Disappointment of one Meeting's Procedure for want of Members then such as upon Due Notification Do attend a second Meeting their Doings shall stand Valid; and except our annual Meetings whose Doings shall always be accounted Valid.

4^ly That in all Acts of this Consociation Nothing shall be allowed as a Vote of the Body but where there is a Major Part of the Ministers and also of a Major Part of the Messingers agreed.

5^ly That for the future the Brethren of each particular Church within this County under the Conduct of their Pastor or (where there is No settled Pastor) of some Persons by themselves Chosen Do some convenient Time before said annuall Convention give in their Votes particularly for a Meet Person to represent them in the Consociation for the

year ensuing and in Case on the first Tryal No one Person hath more than one half of the Votes of the Members then present then the Person who hath more Votes than any other to be propounded for Choice by the usual Method of holding up the Hand.

6ly That We look upon it very expedient in Case of Ordination that Application be made to the Standing Consociation of this County for that Purpose to whose Provence Affairs of that Nature as well as other Matters Ecclesiasticall Do in the Judgment of this Consociation orderly and rightly appertain especially at Ordination to examine into the orthodoxy experemental Knowledge and Moral Conduct of the Persons to be Ordained

7ly That in the Intervals between the annual Meetings as abovesd the Moderator for the Time being with the Concurrence of one or More of the Neighbouring Pastors or in Case of the Moderator's Death any two Pastors of the Churches within this County may Summon any occasional Meeting of this Consociation as they shall think Needfull and at such Time and Place as they Judge most convenient.

8ly That the Pastors with the Consent of the Representatives of the Churches Convened and that shall hereafter from Time to Time Convene in Consociation as abovesd have Power Authoritavely and decisively to Determine ecclesiasticall Affairs brought to their Cognizance according to the Word of God.

9ly That a Copy of a warning to appear before the Consociation the Time and Place being Notified read in the hearing of or left in the House of the usual abode of any offending Member or Witness concerning a Case depending eight Days before the Time of the Consociation Meeting by two Persons of the designation of any one of the Pastors within our Limits to be judged a regular Notification and with such Notification a Copy of the Complaint be also left with the Member complained of or at the House of his or her usual Place of Abode.

10ly The Copy of a warning to appear before any particular Pastor or Church Time and Place Notified being Read in the hearing or left as abovesd shall be a fair Notification a Copy of the Complaint being exhibited as foresd

11ly That if Offenders or Witnesses so Notified as in the two last preceeding Articles Neglect or refuse to appear accordingly without Sufficient Reason Such refusal shall be deemed a scandalous Contempt and if any Witness appearing upon such Notification shall yet refuse to give in their Testimony and answer Interrogations in the Cases depending they also shall be looked upon as guilty of Scandalous Contempt.

12ly That every Baptized Person not professedly subjecting him or herself to the Order and Discapline of some other Church dissenting from our established Churches in this Colony and that previous to a formal ecclesiasticall Process commenced for his or her scandalous Miscariage shall be Subject to the Censures of Admonition and Excommunication in the Places where they dwell or Churches to which they belong in Cases of Scandal and obstnately persisted in tho' such Person shall not have explicitly owned the batismal Covenant.

13ly The next annual Meeting of this Consociation to be held on the last Tuesday of Sepr next old Stile in Bethlehem.

14ly From the affecting View and meloncholly Consideration of the prevailing Degeneracy of the present Day with respect to the prophanation of the Lords Day Rioting carnal Froelicking Tavern Haunting and great Neglect of Family Goverment: as We must bear our joint unanimous Testimony against these Evils, So We must earnestly Beesech all Persons both of Civil and Sacred Charecters as Well as Heads of Familys and particularly such as keep publick Houses all to unite and in their several Capacities do the utmost to Suppress and reform such Scandalous Evils for which and other prevailing Miscarriages we doubt not the Judgment of God are not only impending the whole Land but awfully inflicted on some Parts of it. Unanimously Voted. Mr Graham chosen Register of this Consociation

Test John Graham Scribe

Recorded and Examined by John Graham Register

A Copy

[Indorsed] The Conspiracy of Litchfield County Consociation.

MATTHEW TALCOTT'S LETTER.

MIDDLETOWN 4th of august 1752

Sir

the Brig Seahorse will be dichard To Morrow if we on our part dont prevent by Neglecting To Settle & pay of the wages ther is also an averidg Loss To be Setled with the Mate and seamen which will Make it the More Necessary for you To be hear or Sum other in yr behalf yr answer will Much oblige yr

Humble Servant

MATTHEW TALLCOTT

P S yr Chalk & Grindstones is sent up by Murfey.

BENJAMIN AVERY TO ROGER WOLCOTT.

Honoured Sir

I this very day received both your kind Letters, & the obliging Present of a Book, sent me by Mr Partridge. The Book I shall take the first Opportunity I can to peruse; & doubt not I shall read it with Pleasure & Advantage. The Letters I thought my Self oblig'd to acknowledge immediately; especially as I found you had expected to hear from me much Sooner than this can reach you.

I had no other Reason for my long Silence, but merely, my apprehending that my Writing was unnecessary; as I had nothing of importance to communicate. your last Letter had made me easy about Captn Shaw's two Several Bills of 100ll each, of the Same Date: & as I had met with no other Doubt or Difficulty in the payment of the Bills which you have drawn, I thought it would rather be troublesome, than pleasing, to your Honour, to receive a Letter with Nothing in it.

But one Circumstance dos occurr to me with respect to these Bills, which I think I ought to mention; which is, That sometimes the Bills come before the Letters of Advice. The Gentlemen in whose favor the Bills are drawn should take Care that the Letter of Advice should accompany the Bill. The Want of this has made me refuse to

Accept 2 or 3 Bills of which I afterwards recd proper Advice from your Honour, & then paid them; but the Gentlemen I find noted them for their not being Accepted: which has cost the Colony two or three Half Crowns, which might have been sav'd.

I will, as soon as possible, draw out the Account as far as I have paid: and send it to Mr Partridge to be forwarded to you.

I thankfully accept the Present wch the Assembly has thought fit to order me. As I never undertook this Service with any View to the Profit that might arise from it; nor ever exposed any part of the Colony's Money to any Risque or Hazard in order to my reaping any personal Advantage from it; so I should seem to make any Exorbitant or unreasonable Demands on the Colony for any Trouble or Expence I may have been at in negotiating & managing this Affair. your Honour will be pleased to make my compliments to the Assembly at their next Meeting; & let them know that I am very well satisfied with the Sum they have appointed me.

But you will allow me to add, that when the Account is closed; should there be any involuntary Mistake, or unforseen Loss, (of which I have no reason however to be apprehensive) I shall expect the Colony should stand to that; & not deduct it out of the Money they have thought fit to allow me. There shall not be knowingly & willingly a Diminution of One Guineas value: nor do I at present apprehend there is or can be any Mistake. But thought my unacquaintedness with the Affair of Remittances; & having been little conversent in foreign Bills of Exchange, I may have inadvertantly (in the hurry of my ordinary Business) have committed some Errors: And if any such should appear, I shall think it hard to be dealt with in so harsh a Manner as to be made Accountable for any, but wilfull or fraudulent, Mistakes. And any thing of that kind, in my own Judgment, could not be too severely animadverted upon. But I hope there will appear none of the One Sort or the Other: Either Voluntary or Involuntary: None there

shall be by Design: & I flatter my Self there will be none considerable through any Hurry or Oversight.

I hear by my friend Mr Sparrow, that the worthy Collo Williams & his Lady are Safely arrived. In Varios Casus, if ever any body did. I am not a little disappointed that I have not yet Seen it under his own Hand, that he is got safe. But I nevertheless most heartily rejoice in their preservation and hope they are preserv'd for long mutual Comfort & for extensive usefulness.

My best Wishes & readiest Services shall ever attend your Honour & the Colony of Connecticut.

I am your Honour's most faithfull
& most obedient humble Servt
BENJ. AVERY

Guy's Hospital 22 Septr 1752.

ANTHONY WELLS TO ROGER WOLCOTT.

London Sepr 30th 1752

Govr Wolcott

My Master Richd Partridge being gone out of Town for a little while accompanying 2 Persons lately come from Pennsylvania, I take the liberty by his Order to acknowledge the rect of thy Letters of June 10th wth a Packet, & two Letters for Dr Avery the latter I carried to his House I have also delivd the Letter for Lord Holderness, & that for the Board of Trade & wrote to my Master concerning the Book abt Mason's Affair, wch by his Order I have carried to our Solr Joshua Sharpe who says they are the Papers that were wanting & will be of good Service; Mason has not yet recd his Money at the Treasury but is likely to have it, there is no probability of being any Proceedings in that Affair at the Council Office yet awhile, there being little or no Business going forward at any of the Publick Offices respecting the Plantas as most of the Lords are still in the Country from whence I expect my Master in a little time & then he will write himself more fully abt these Affrs in the mean

time I make bold to Subscribe my Self on his behalf

Thy Friend

ANTH^{O} WELLS

tis Said the Yateks will sail from hence to bring the King home, tomorrow Sen'night

Inclosed is a Magazine for Augst & a letter from D^{r} Avery

The Parliam^{t} met, the beginning of last Week & were thence prorogued to the latter End of this month

[Superscribed] To Roger Wolcott Esq^{r} Governor of the Colony of Connecticutt.

[Indorsed] From M^{r} Anth^{o} Wells Sep^{r} 30 1752

BENJAMIN AVERY TO ROGER WOLCOTT.

Honoured S^{r}

I hope my Answer to your last favor has before this Time reach'd your Honour's hands: in which I acknowledged, with thankfulness, the kindness of the Colony, in the Present you acquainted me they had made me of Three Hundred Pounds; in Consideration of my Expences & Time & Trouble in attending their Affairs.

I therein promised you an Acco^{t} of what I had paid on Governor Law's & your Honour's Draughts; which I herewith Send you. I know of no Mistakes; if you find any, I beg I may be appris'd of them, in order to their being Set right.

The sum which I have paid, you see, amounts too 20597^{ll} 11^{s} 6^{d}

Besides these which I have discharged, there is One more Bill, which your Honour has drawn on me, dated June 24. 1752, in favor of Geo. Philips, for 100^{ll}; which I have accepted, & Shall pay the 30th of this Month.

And the 300^{ll} which the Colony has been pleasd to allow me, I must Stop, or deduct from the Sum remaining in my hand: & then the Ballance I shall be ready to pay either in discharge of your farther Draughts; or to your Agent, M^{r} Partridge, if you shall so direct; & shall order & enable

him finally to settle the Account with me & give me a proper Discharge & Acquittance.

The Original Sum order'd was	28,863	19	1
Pd at the Treasury & Excheqr	141	4	1
There then remaind	28,722	15	00

Besides the 300ll order'd me, there is due to me Seven Shillings & 6d, for 3 Bills, which were noted without any fault or neglect of mine: One of Captn Shaw's I mention'd to your Honor before. The other two were noted, because, as I had reced no Advice of their being drawn, I had refused to Accept them. A fortnight after they had been presented I received the Letter of Advice; & then Sent to the Gentlemen who had the Notes, that I was ready to accept them, & pay them in 30 Days from the Time of their being presented: & did pay them Accordingly & was obliged to pay the 2s 6d in Each bill for their having been noted. They were 2 bills drawn in faver of Mr John Lediard: one of May 9 for 60ll one of May 15 for 83ll pounds.

I desire your Honour would accept of my Thanks for the kind Present which accompanied your last Letter. I have read it & very much approve of the Spirit of Piety & Liberty which runs through the whole. May you long live to see & promote the Prosperity of the Colony, for which you feel & express the Sollicitude & Concern of a true Patriot & a virtuous Lover of his Countrey.*

I am with great Respect & Esteem
Your Honour's
most obedt faithfull humble Servt
BENJ: AVERY.

Guy's Hospl 16 Oct. 1752.

LIST OF BILLS OF EXCHANGE.

An Accot of Cash receiv'd at the Exchequer for reimbursing the Colony of Connecticutt for their Expences in taking Louisbourg & Cape Breton,

* It seems probable that the present here referred to was a copy of Wolcott's *Poetical Meditations*, printed in New London in 1725.

And the Bills which have been drawn by their Hon^{rs} Jonathan Law Esq^{r} deced & Roger Wolcott Esq^{r} and discharged By D^{r} Benjamin Avery.

		1749				
His Hon^{r} Jonath^{n} Law	14 Nov^{r}	to Lieuten^{t} Col^{l} Sam^{l} Talcot	400		
	ditto		to Rich^{d} Partridge	300		
		1750				
	ditto	31 May	to Col^{l} Elisha Williams	25		
His Hon^{r} Rog^{r} Wolcott	27 Dec^{r}	to Daniel Lothrop	209		
	ditto	3 Jan^{y}	to Matthew Talcott	200		
	ditto	2 Feb^{y}	to Ditto	200		
	ditto	6	to Tho^{s} Goodwin	150		
	ditto	ditto	to Samuel Starr	100		
	ditto	ditto	to Joseph Wright	100		
	ditto	18 Mar.	to Alexander Walcott	100		
	ditto	12	to Geo Phillips	200		
		1750				
	ditto	3 April	to Ralph Isaac	150		
	ditto	ditto	to Joseph S^{t} John	150		
	ditto	3 May	to Matthew Talcott	186	2	
	ditto	4	to Wright & Thompson	100		
	ditto	9	to Sam^{l} Talcott	315	17	4
	ditto	27 Decem^{r}	to Dan^{l} Lothrop	500		
	ditto	ditto	to Jabez Huntington	200		
	ditto	8 Jan^{y}	to John Ledyard	105		
	ditto	ditto	to ditto	45		
	ditto	27 Decem^{r}	to Daniel Lothrop	200		
	ditto	21 Jan^{y}	to Mansfield & Hall	200		
	ditto	24 Decem^{r}	to Jabez Huntington	200		
	ditto	31	to Tho^{s} Belding	200		
	ditto	23 Nov^{r}	to Mess^{rs} Chauncey & Elish^{a} Whittlesey	700		
	ditto	ditto	to ditto	300		
	ditto	27 Decem^{r}	to Daniel Lothrop	270	4	
	ditto	ditto	to Jabez Huntington	111	12	
	ditto	ditto	to Trumble, Pitkin & Williams	1115	9	4
	ditto	ditto	to Jabez Huntington	200		
	ditto	ditto	to Ichabod Robinson	200		
	ditto	ditto	to Joel White	100		
	ditto	ditto	to Daniel Lothrop	100		
	ditto	4 Feb^{y}	to Whiting & Darling	200		
	ditto	15 Mar.	to Dan^{l} Goodwin	190		
	ditto	31 Decem^{r}	to Eliphalet Dyar	400		
	ditto	8 Jan^{y}	to John Ledyard	200		

ditto	3 Feby	to Hezekiah Huntington	200		
ditto	2	to Samuel Willis	100		
ditto	2	to ditto	150		
	1751				
ditto	17 April	to Nathl Shaw	100		
ditto	25	to Dudley Woodbridge	254		
ditto	14 May	to Darling & Whiting	204	2	6
ditto	19 April	to Matthew Stewart	335	8	8
ditto	8 May	to Robt Sloan	601	12	
	1750/1				
ditto	15 Mar	to Able & Turner	200		
	1751				
ditto	8 May	to Daniel Lothrop	103		
ditto	ditto	to ditto	135	9	
ditto	ditto	to Simon Lothrop & Isaac Huntington	200		
	1750/1				
ditto	11 Mar.	to Danl Lyman & Elihu Lyman	300		
	1751				
ditto	19 April	to John Denison	300		
ditto	17	to Nathl Shaw	100		
	1750/1				
ditto	11 Mar	to James Church	300		
ditto	9	to John Patterson	100		
	1751				
ditto	29 May	to Elihu Hall	335	9	4
ditto	8	to David Nevins	100		
ditto	13	to ditto	100		
ditto	19 Aprl	to Clement Miner	100		
ditto	24 June	to Joseph Webb	100		
ditto	23 July	to Joseph Stocking	100		
ditto	24	to ditto	100		
ditto	1 May	to Norman Morrison	200		
ditto	16	to Timothy Hinman	100		
ditto	3 Augt	to Robert Sloan	112		
ditto	ditto	to ditto	100		
ditto	8 May	to Danl Lothrop	62	7	2
ditto	19 Octor	to Darling & Whiting	153	1	
ditto	ditto	to Nathan Coffin	147	15	
ditto	22 Augt	to David Nevins	150		
ditto	7 Octor	to Thos Belding	116	17	6
ditto	ditto	to Danl Goodwin	61	13	8
ditto	29	to Chancey & Elisha Whittlesey	108		
ditto	5	to Joseph Williams	200		

ditto	22 Novr	to Joseph St John	186	8	
	1752				
ditto	9 Jany	to Samuel Gray	200		
	1751				
ditto	3 Decr	to Samuel Talcot	200		
ditto	8	to Danl & Joshua Lothrop	221	11	10
ditto	ditto	to ditto	58	8	
ditto	ditto	to ditto	110		
ditto	27	to Nathl Shaw	100		
ditto	8	to Danl & Joshua Lothrop	165		
ditto	21 Novr	to Samuel Starr	50	15	4
ditto	12 Decr	to Jabez Hamlin	100		
ditto	27	to Nathl Shaw	228	19	3
ditto	26 Novr	to Matthew Talcot	112	1	4
ditto	8 Decr	to Gersham Breed	151	12	
ditto	ditto	to Danl & Joshua Lothrop	200		
ditto	27	to Nathl Shaw	44	4	9
	1750				
ditto	6 Feby	to Ralph Isaacs	140	9	2
ditto	31 Jany	to Matthew Stewart	103		
ditto	12 Mar	to Matthew Talcot	96	12	
	1751				
ditto	31 Octor	to Joseph Webb	102	15	
	1752				
ditto	5 Mar.	to Gersham Breed	100		
ditto	16	to Danl Goodwin	93	18	2
ditto	31	to Chancey & Elisha Whittlesey	161	17	
ditto	9 May	to John Lediard	30		
ditto	20	to Nathl Hooker	115		
ditto	22	to Samuel Talcott	130		
ditto	13	to James Tilly	50		
ditto	28	to Matthew Stewart	40		
ditto	9	to John Lediard	30	5	6
ditto	22	to Saml Talcot	364	13	3
ditto	15	to John Lediard	20		
ditto	28	to Matthew Stewart	26	14	
ditto	11	to Thos Belding	201	2	2
ditto	4 June	to Joseph St John	73	18	4
ditto	15 May	to James Tilly	50		
ditto	16	to ditto	50		
ditto	18	to Danl Goodwin	100		
ditto	3 June	to Thos Goodwin	130	13	3
ditto	26 May	to Hezekiah Huntington	124	3	
ditto	24 June	to Nathl Coffin	42	3	2

ditto	18 May	to Darling & Whiting	31	2	
ditto	15	to John Lediard	83		
ditto	9	to ditto	60		
ditto	9 July	to Joseph Coit	100		
ditto	ditto	to ditto	179	13	4
ditto	ditto	to Jabez Huntington	325	16	2
ditto	ditto	to ditto	245		
ditto	ditto	to ditto	212	15	
ditto	25 June	to Nath[l] Shaw	100		
			£20,597	11	6

[Indorsed] Doc[t] Avery's account

BEELGOOD BULFINCH'S BILL.

The Spanish Snow S[t] Joseph S[t] Hellena
To Beelgood Bulfinch Dr

To 2 days & 1 Night Service done on Board S[d] Snow in assisting to take out her Cargo when near a Reef of Rocks £12 0 0

New London Nov[r] 1752
Errors Excepted
℔ Beelgood Bulfinch

RICHARD PARTRIDGE TO ROGER WOLCOTT.

London Nov[r] 23[d] 1752

Gov[r] Wolcott

My last to thee was of 6[th] mo or June the 24[th] via Boston & being lately come of from a Journey into the Country I find thy Packet is come safe to hand with thy two Letters dated 10[th] June last together with a Copy of the Case relating to Mason & the Mohegan Indians & now I hope we shall be well able to instruct our Counsel. Masons Solicitor has been for a Consid[ble] time labouring with the Treasury for Money without which he will scarce venture to proceed to bring on the Cause to a hearing, which probably will be some Months yet.

he has at length been referre'd to the Solicitor of the Treasury, for him to Sum̄on both Parties before him prin-

cipally on this Point, whether it is proper for the Crown to advance any and what Sum to the said Mason for prosecuting the Suit—& accordingly they have had a Hearing thereon—but no result was yet come into—but are appointed to appear again & at last it is probable the Gentleman before whom the hearing was, will hardly of himself take upon him to determine y^e^ matter without consulting the Kings Attorney General, if the Money should eventually be ordered agreeable to a former Order of Council & they should think fit to proceed in the Cause we shall exert our best Endeavours for the Colonies Interest being assured it is a Matter of very great Concernment, to them

& as to the Matter of the Boundary Line with the Massachusetts I have duly read over all thou hast writ, concerning it, which I think is Judicially done, but when the Stated Case & Evidence thou proposest to send me shall arrive we shall be better Able to make a Judgment of the probability of Success in our Attempt in an Application to the Crown—but I would just premise, that whenever, that is commenced it cannot be Supposed the Lords of the Privy Council or the Board of Trade will ever come to any Adjustment here till Comm^rs^ out of the Neighbouring Governments have been appointed to examine on the Spott & Report their Judgment or determination to the King in Council, & that either Party if they find themselves aggrieved have liberty to Appeal:—this I say as far as ever I cou'd understand hath been the constant Practice in Such Cases so that there is not the least danger of any Surpriz happening to our Prejudice, for the Lords will by no means hear any Cause Ex Parte till both Parties are Summon'd & unless the Defendant shall refuse to enter an Appearance in a reasonable time & more especially in a Cause of such a Nature & Consequence as this is—I have duly enquired at the Council Office & find not the least Step taken about it & have very lately talk'd with Agent Bollan upon it also who Signified he had a pretty deal of discourse with Col^o^ Williams when he was here in London & acknowledged that tho' he had some Instructions from his Constituants about it &

seemed pretty confident of the Right & Justice of their Cause yet he had made no Procedure therein, but had much rather this Affair cou'd be accomodated between the Governments themselves, which would indeed save the very great Expence & time in the issuing a Commission & the prosecuting it—& at this time it wou'd by no means be proper for our Northern Colonies to differ one with another Supposing its possible that some Advant might be taken agst them, but after all if there can be no Agreement come into with the Massachusetts & the Colony shall see meet to Order an Application to the Crown I would humbly propose that I should have the liberty first of all, when the Papers before mention'd shall come over that from them a proper Case with Suitable queries be drawn up & laid before the Attorney General & some other eminent Counsel for their Opinion—all which I submit to the due Consideration of the General Court.

Referring to the West India Merch^{ts} It is much questiond whether they will attempt any thing against the Northern Colonies in the next Sessions of Parliament at all for fear, that y^{e} duty of Foreign Molasses will be reduced to a penny or two pence a Gallon—& if they shou'd not begin it themselves, its talk'd as if the Lords of Trade may be likely to try in the House of Co$\overline{\text{m}}$ons to bring Such a thing about.

The King is well & safe arrived at London from Hannover y^{e} 18th Inst. & the Parliament are to Sit for the dispatch of Business the beginning of January next— I am with due respects to thy Self & the Gentlemen of the Council & House of Representatives

Thy & their assured Friend

RICH^{D} PARTRIDGE

[Superscribed] To Roger Wolcott Esq^{r} Governour of the Colony of Connecticutt New Engl^{d} Windsor via Maryland

[Indorsed] From Rich^{d} Partridge Nov^{r} 23 1752 Recd Aprill 17th

GURDON SALTONSTALL TO ROGER WOLCOTT.

New London Novr 26th 1752 P. M. 2 Clock

May it please Yr Honr

The extraordinary occurence that has this day hapen'd, will I hope excuse sending my Son to Your Honr this day.

The Case is this, a Spanish Snow, came into the Sound on Thursday last very leaky, and on Friday run on the Reef off Nihantick. Capt Durfey engag'd a Schooner who went along side last Eve, and at about 8 Clock at the earnest desire of the Spr Officers took out forty Chests of money, 36 Seroons of various comodities & sundry Chests & boxes, to the full lading the Schooner, & came into the Cove before my dore & sent a messenger, who caled me out of bed about 6 Clock A M and on seeing the Capt he advised me he was aprehensive of Violence being us'd to wrest the Schooner & Effects out of his hands; therefore desir'd my Authority to prevent disorder; & accordingly I tarried on board till the boat & Compy suspected came on board & return'd on Shore again; thereupon I returned on Shore—soon after a messenger came to me that more boats were coming on board, thereupon I imediately went on board, but there was then 2 boats full of men, & the Colector along side, all whom were kept, by Capt Durfey from entring the Schooner. I Immediately comd the Kings peace, & with much dificulty avoided any persons being wounded. Finally it was agreed by the Collector &c that the Money & Goods should be deld me, & they are now in my Custody, the Colector having the kees, tho' no Seisure is made.

Capt Durfey in behalf of self & Schooner desire nothing, but their lawfull right for Salvage And there can be no dispute but they have a Legal right to Some reward—theres no manner of complaint that any thing is embezel'd.

The dificulty in this case arises from the Spanish Gentlemens valuing themselves on Mr McKenzie, for that a Capt of his, meet with them at Sea, & by Keeping them Compy conductd ym into the sound. This being a new afair as well as of great Importance, I knew it my duty instantly to advise yr Honour thereof. And as I apprehend your Honr has a wright, to appoint an Agent for the Spanish

Gentn to transact, what may be needful for them—Ask it as a favour that your Honr will apoint me to that purpose. I shall endeavour to wait on Your Honr to morrow at Windsor—unless any thing very extraordinary occurs; or the weather be Tempestuous—but will as soon attend your Honr as Is in my Power.

Your Honour may assure your Self that I shall act in this affair with the utmost Integrity—& shall convince You that I have a principle of Gratitude—even to your greatest Expectation.

I am Yr Most Obedt
Humble Servt
G Saltonstall

I send you a few Lemons as a Specimen of my Respect.

Capt Durfey is Frank & Open in the principles I have above Exhibited, as to his Interest in the premises.

MERCHANDISE RECEIVED BY GURDON SALTONSTALL.

Accot of Merchandize Recd ℔ G Saltonstall from on board the Schoner Sally, Joshua Snow Master—Novr 26. 1752—Vizt

36 Serons markt T Xa.
1 Leopard Skin Trunk.
1 old batten'd Trunk.
1 Ox Skin ditto ditto.
1 Smal Case markt VV.
1 Chest covered with Ox hide
1 ditto small ditto
1 ditto small ditto
1 ditto ditto ditto
1 ditto ditto ditto
1 box shapt thus +
1 small box, A Dr Lorenzo—Cadiz
1 Case cover'd with Ox hide markt R
40 Forty Chests, supos'd to be mony.

℔ G. Saltonstall

[Indorsed by Wolcott] Invoice of the Efects from the Spanish Snow in Collo Saltonstalls Store 1752

LEWIS MORRIS* TO ROGER WOLCOTT.

New York December 9th 1752

Sir

Upon an application Made To Me by captᵗ John Simpson commander of The Brigantine Savanna, belonging To The Port of New London in Your government, Praying That I would order The Spanish Effects, which were on board a Snow called The Sᵗ Joseph, which he Met with at Sea and brought into Port, To be Secured That he might be Paid Such Salvage as Should be Decreed him by The court of Admiralty for Your colony.

Upon which Petition I have made an order; To The Marshal, or his Deputy for That Purpose; I thought it My Duty To acquaint You with The Steps I have Taken, That I might have all The assistance of The government In case of any Disobedience To That order

I propose To Set out on Monday Next for New London To hold a Court for The final Determination of That affair Relateing To The Spanish Effects: when I hope To have The Pleasure of Paying my regards To Your Honour who am

Your Honours Most obedient
Humˡᵉ Servant
LEWIS MORRIS

JOSEPH HULL TO THE GOVERNOR AND COUNCIL.

This certifies that I have received from Mʳ Chew, all the Keys of the warehouses & Stores, where yᵉ Spanish Goods are Stored, Witness my hand at the Custᵒ House in New London yᵉ 11th Decʳ 1752

Jos. Hull Collʳ

To the Honᵇˡᵉ yᵉ Govʳ & Council of Connecticut

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* Lewis Morris, born 1698, died 1762, was Chief Justice of the Vice Admiralty Court in New York.

EXAMINATION OF DON CHRISTOVAL DE URANNAGA.

The Examination of Don Christopher of Urrunaga Cheife Capt of the Spanish Snow St Joseph and St Elena, by way of question and Answer under oath. viz.

Q What port did the Said Snow took her Departure last from in the Spanish West Indies

A Havan on the 14th of october Last in the Morning

Q With what Number of Ships did you Sail out of that Port?

An. With three Large Spanish Ships which were Registers from Levaraerux.

Q to what Port was the Snow bound

A They were all four bound directly to the Port of Cadix

Q How long a Time did the Snow keep company with the Ships

A till the 28th Day of the Same month of October

Q by what means or for what Cause was the Snow parted from the Ships

A by Reason they having Discovered a Dangerous leak in her bow which they could not Stop at Sea

Q How came it to pass that you left the Ships when the Snow was leaky and in such Danger, without asking Assistance from the Ships?

A They did Speak to the Commodore and told him it was not possible for them to keep the Seas and therefore would bare away to which the Commodore Said they might do what they pleased

Q What course did you take next after Leaving the Commodore

A to the North Norwest

Q What Port did you then Designe to make?

A Either to Carolina or Georgia.

Q was it your Choise to go to Carolina or Georgia or was you put upon it by the People on board

A it was the will and pleasure not only of him but of all the Ships Company which I came into seeing they were all for it*

---

* This answer has been crossed out, and the one which follows substituted for it.

A he was in Some Degree forced to it

Q Whether at any Time before you meet with Capt Simson your people Disobeyed your Commands and gave the command of the Snow to any other officer on board

A They Denyed to obey him at the Time they bore away and gave the command of the Snow to the Second Capt, and finding they would not obey him the Deponant he Declined the Command

Q What condition was the Snow in with Respect to the Leak from that time till you met with Capt Simson.

A That in twenty Seven Hours after he by Reason of a Storm Reasumed the Command of the Snow and no body Resisted him and that the Snow continued in the Condition with Respect to the Leak that she was in when they bore away, and continued much the Same till she came to an Anchor only in bad Whether the Leak increased and a few of the Last Days it samed Rather to increase.

Q What was the Reason you weighed Anchor and came to Sail Off the mouth of the Harbour without having a Pilot on board.

A That he had a Pilot on board from the Time he met with Capt Simson, and further says that there came a boat on board from a Brigantain and the Men asked him if he wanted a Pilot and the English Man put on bord by Capt Simson said he was a Pilot sufficient and for yt Reason he told them he did not want any Pilot

Q How came the Snow to Run upon the Rocks

A the Pilot on board Ordered them to weigh Anchor before breakfast which they did and while under Sail there came a boat in sight which showed Signals but they did not Certainly understand them and he Asked the Pilot what them Signals meant whether that he might not come into Port or whether they must alter their Course or whether there were not Shoals which they were in Danger of and the Pilot Said it was all Clear they might go Safely and so they went on and Run under full Sail on the Rocks and he proposed to back the Sails in order to git her off but the Pilot would not Suffer it but afterwards they got off those Rocks

and then another Pilot come on board and he Run them on another Reife of Rocks.

Q What Time was the Ceiling and the Timber cut away in order to find the Leak

A Some before and some after they Met with Capt Simson they several Times Endeavoured to do Something to find it out

XRL DE URANNAGA

N B The above deposition was taken from the mouth of the Deponant Don Christoval Urrunaga & truely Interpreted to him According to the best of our Skill, being under Oath to do the Same as Wittness our hands

JOSEPH COWLEY

Decembr 12th 1752 ABRAHAM CARDOZO

New London ss. On the twelfth Day of Decembr 1752 The forgoing Answers Made to the Several Questions were declared by Don Christopher of Urranaga under Oath, and interpreted by the above Named Sworn Interpreters before me

R WOLCOTT Govr

[Indorsed] Declaration of Don Christopr Urranaga

DEPOSITION OF JOHN SIMSON.

The Deposition of Capt John Symson Commander of The Brigt Susanna Belonging to N London

This Depont Says. That in his Voya from the Island of St Martins to N Londo in the Lat: 8odeg 9min N. Long 72: 14 from Londo W: Novr 12th past about 11 in the forenoon we made a Sail Lying by with her Courses hauled up & Stasails Down about 2 points of our Weather Bow, Wind a S: S: E & Stearing N: it being good Weather. I Supposed the Sd Vessel to be in distress & Steered for her, and as I Came near observed ym to have hoisted Spanish Colours and as I Came nearer he hailed me in the Spanish Language wc I did not understand, and was passing away from them upon wc yy all Swang their hatts and Called aloud Much Aquor Much Aquor, & made a Signal to me to bring too wc I did,

and Their Mate Capt Domingo Came on board my Vessel in a Launch and asked me from whence I came & whether I was bound, and by an Interpretor I told him I was Last from St Martins & bound to N Londo wc I Shewed him on a Chart, he told me the vessel in wc he was They Called the St Joseph & St Helena Capt Christopher Oranage Last from Havanna & Bound to Cadiz & had been out a month That by Reason bad Weather they were parted from a fleet of 3 Sail Loaded With Kings money from the Havanna & that the Vessell was an English prise at Least 12 Years old. That in ye bad Weather not being able to Carry Sail but was obliged to Scudd, and Could not free her of water with both pumps, & that Several vessels had passed by ym and yy Could not Speak with any one before him and that yy had no hopes to get to Cadiz and prayd him to Conduct them to Some part of America, and I told them I Should proceed agreable to my orders but if yy would go to N Londo I would Conduct them thither to wc yy agreed and at their desire I put one of my hands Dan11 Vosper on board the Snow to take Charge of her under me Some days after in a Gail of Wind the sd Vosper Called to me & prayed me to Shorten Sail for them yy not being able to Carry So much Sail for the vessel was Very Leaky & the Water wn yy made So much Sail Came in at Two places in Spouts as big as a mans Arm & by all yy Could do the night before they Could not free her and Accordingly I did and That I might keep them Company I was oblig'd to make Small Sail all the passage home & Sometimes Sailed only with a Reeffed fore Topsail

Quest: Did You observe the Snow to make much Water Your Self

A: I often observd the Snows people Labouring at the pumps and by that I Concluded She made much water.

The Depont adds That he kept Company with ye Snow till She Came to An Anchor off the Entrance into N Londo harbour wc was on the 24th Novr Ult.

Qt Did the Spaniards give you any acct of any Meeting Among the people on board the Snow.

A The men that Came from the Snow on board my Brig^{t} told me that their people did not like the Capt for he was Drunken fellow & not fitt to Command the Vessel and that y^{y} had been runing too & fro for 10 or 12 Days without any proper Direction

JOHN SIMSON

Decemb^{r} 12th 1752 Nelondon

Then the Above Deposition of M^{r} John Simson Given under Oath being Duly Sworn before me

R WOLCOTT Gov^{r}

DEPOSITION OF DANIEL VOSPER.

The Deposition of Daniel Vosper Mariner, belong^{g} to the Brigantine Susanah of New London John Simpson Com^{r}.

This deponant agrees with all the foregoing Testimony of Cap^{t} John Simson 'till he comes to the first Question. And then further adds. That in bad Weather it was very dificult with both pumps to keep the Snow free, and he went into the forepeak, where he saw the Seiling was cut away, & one timber almost through, at the Waters edge, where he saw the Water gush in at divers places in large quantities; but in a smooth Sea She made but little Water. And that he endeavour'd to stop the leaks but could not. And that had the weather continued very bad, twenty four hours, the Snow would in his opinion have been founder'd. That whilst on board the Snow at Sea, Cap^{t} Christopher Oranage, told the deponant divers times, that he would have endeavourd, to carry the Snow to Cadiz, but that the Super Cargo, & the rest of the Officers & men, refus'd to pump the Snow, unless the Cap^{t} would proceed to some part of North America, and he refus'd to do it; thereupon the Super Cargo, & the other Officers with the Ships Crew, gave the Command of the Snow to the second Captain. And that sundry of the men said that Captain Oranage was a drunken man, & that they did not think it safe for him to have the Co$\overline{\text{m}}$and of the Snow; & therefore they gave the co$\overline{\text{m}}$and to the 2^{d} Captain. The morning after they came to an Anchor off

New London harbour Capt Oranage propos'd to bring the Snow to sail, before Any pilot came on board; to which the Snows Company objected; but after-wards agreed to do it—and then he brought her to sail, & stood to the Westward, the wind at N: W: & after the Snow had gott a little offin, the wind held to the S. W. then we put about & stood in for the harbour; but the Snow did not well Answer her helm; & Capt Simson coming very near us, in a small boat, called to us, to Luff, or we should be on the Reef; upon which, wee endeavourd to Luff the Snow, & She immediately Struck on the Rocks; She beat on the Rocks until her ruder was unhung; & the Generality of the Common Sailors said, that if the Cargo could be saved, they had rather the Snow should be cast away than not; least they should be forced to go home in her, for that she was not fit for the Voyage

DANIEL VOSPER

Decembr 12 1752

New London ss. Then the above and foregoing Deposition of Daniel Vosper given under Oath he being duly Sworn before me

R WOLCOTT Govr

[Indorsed] Capt John Symsons Deposition & Danll Vosper

EXAMINATION OF MANUEL DE DUENO.

The Examination of Manuel de Dueño Calker on board the Spanish Snow St Joseph and St Elena under Oath by way of Question and Answer viz.

Q from What Part in the Spanish West Indies and when did the Snow Depart last

A from the Havana on the 14th octobr

Q what Ships came out with you and where bound

An Three and bound to Cadiz.

Q How long did you keep company with those ships

A he is not able to tell as it was not his Business to keep a Journal

Q What was the Occasion of your parting from the Fleet.

A By Reason the Snow made So much Water when they Crouded Sail that they could not keep company with the fleet and therefore found no other Remedy but to bare away

Q What condition was the Snow in with Respect to the Leak from the Time they Left the fleet till She came to an Anchor before the port of New London.

An The water She made generally in Moderate weather was about 14 Inches in Every half Hour and as the weather grew more Tempestious the Water increased in proportion

Q What was the Reason When you concluded to bare away you did not Endeavour to Make Some Spanish Port Rather than an English Port?

A They were got thro' the Gulf of Florida and the Wind was a head to beat up to a Spanish Port therefore they concluded to bare away to Some English Port or any Port they could get into

Q When at Anchor before the Port of New London wherefore did you not wait for a Pilot before you weighed Anchor and come to Sail

A Because they had a Pilot on board viz. the Person put on board by y^e^ Cap^t^ of the English Brig who commanded them that morning to weigh Anchor

Q How came it to Pass the Snow Run upon the Rocks

A He can give no other Reason but this that some time after they were under Sail they Discovered a boat which made Signals to them which the Cap^t^ Did not well understand and Asked the Pilot whether it meant they were in danger of Running upon any Shoals the Pilot answered no and there upon they Stood on till they got fast upon the Rocks, and soon after the s^d^ boat came on board and brought them Another Pilot at which Time they were fast on the Rocks bore up considerably out of Water, and some time after the Second Pilot came on board there came a Schooner and took out part of the Cargo and Lightned the Snow and then as the tide Rose the Snow got off the Rocks at about Eleven a Clock at Night, and then a Sloop took them in toe by order of the Pilot sent from shoar and towed

them into four or 5 fathom of Water finding themselves in good water the Spanish Capt said he thot it was a good place to come to an anchor to which the Said Pilot answered no the vessel was under his command and he the Spanish Capt had no business with it and there upon the Spanish Capt Stept aside and the Said Pilot carryed them till they Struck a Second time on the Rocks and Stuck fast where they unloded most of the Cargo and cut away the Mainmast

de
The Mark of X Manuel
Dueño

N B. The above Deposition was taken from the Mouth of the Deponant Manuel Dueno and truly interpretated to him according to the best of our Skill being under oath to do the Same witness our hands.

Joseph Cowley
Decembr 13th 1752 Abraham Cardozo

New London ss. On the 13th Decembr 1752

The forgoing Answers made to the Several foregoing Questions were Declared by Manuel Dueño Under his Oath and Interpreted by the before Named Sworn Interpreters before Me

R Wolcott Govr

A True Copy

Examnd
R Wolcott Govr

[Indorsed] The Depositn of Manuel Dueno

ROGER WOLCOTT'S PROCEEDINGS ABOUT THE SPANISH VESSEL.

Colony of Connecticut A Dom: 1752

Minits or Entries of the Proceedings of the Honourable Roger Woolcot Esqr Govourner of his Majestys Colony of Connecticut Respecting the Spanish Snow St Joseph and St Elena Don Christopher of Urrunaga Commander Said to put into the Port of New London in Said Colony in Distress. viz.

Windsor Nov 27 Being informed by Col. Gurdon Saltonstal, Eqr that the Said snow was arrived at the entrance of the Said Port and by some Means Run upon a Reife of Rocks Lying on the western Side ye Mouth of Said Port and that a Certain Schooner had been to her Releife and taken out part of her Cargo which by the Consent of Joseph Hull Esqr Collector of his Majestys Customs in Said Port was put into his the Said Saltonstals Store and the key thereof kept by Said Collector, thereupon that nothing might be done Contrary to the Rules and Customs in Such Cases I made out an Order to Said Gurdon Saltonstal Eqr impowering and Directing him to keep in his Custody the Goods in his Store and to take care of the other part of the Cargo that was or should be brought on Shoar in a proper manner that it might be Secured for the Right owners and to take an Account thereof in a proper Manner and Transmit the Same to Me and to endeavour to free the Snow from the Rocks and to Afford the officers and Company belonging to Said Snow all proper Assistance and Support they Should Apply to him for

28 That on the 28th of Nov: aforesaid being further informed by Mr Andrew McKinzy (who Declared the Cap and Officers had valued themselves on him) that the Rest of the Cargo was Landed and the Snow got off the Reife I gave a further Order to Said Saltonstal to Stay the further Proceedings till I came to New London to Enquire into the Affair in order to give further orders therein

New London Decembr 8: On the 8th of December 1752 Arrived at New London the officers of Said snow attended and were ordered to Attend on the Next Day.

N B When I arrived was informed the cargo of Said Snow was in the Custody of the Said Collector who soon After Certifyed to me that he had all the Keys of the warehouses and Stores where the Said Goods were Stored

9 and forasmuch As there was Some Suspicion arising from Several Considerations whether the Said Snow came Lawfully into Said Port I called to my Assistance and Council the Honourable Thos Fitch Dep Govr Hez. Huntington

John Bulkly and Gurdon Saltonstal Eqr: of his Majestys Council for Said Colony and the officers attending according to order were put upon Shewing the Special Reasons of their coming into this Port on which they Exhibited Several Papers in the Spanish Language Declaring them to be the Register of the Snow the orders Relating to Trade at the Port from whence they came and to which they were Distined which were interpretated into English which the Spaniards Declared themselves well Satisfyed with. then they were ordered to attend the 11th Day of the month with their further Evidences

11th on this Day the Said Capt and Officers Attended and Exhibited A Journal of their Voyage from the Havana, Some parts of which were Read by one of the Spanish Officers and by a Sworn interpretor Intrpreted into English in my presence—which papers and Journal I took into consideration.

At the Same Time on the Motion of the Spanish Officers Orders were given under my hand appointing three Skilful and Judicious Ship Carpenters to Search and view the Condition of the Said Snow and on Oath Report thereon to me.

12th Proceded this Day to take the Depositions of Mr John Simson Commander of the Brigaintine Susana (who Directed and brought the Said Snow before the Port of New London) Respecting the Distress she was in as also the Deposition of Daniel Vosper one of Sd Simsons Men whom he put on board Said Snow at Sea, to Assist in bringing Said Snow into this Port as also of the Capt of Sd Snow Respecting the Distress She was in—also ordered Mr Collector to take an invoice of the Cargo by men under Oath Deliver one to me one to the Spanish Supercargo and keep one himself

13th That on the 13th Day of the Same month proceeded to take the Deposition of the Calker on board Said Snow Respecting the Premises, all which Depositions are on file and which having with the Advice of Council aforesaid Duly Weighed and Considered Judge that the Said Spanish Snow Made for this Port in Distress on account of the Leakage of

Said Snow and that in Comming into this Port She by Some Misfortune was Run on a Reife of Rock Near the Entrance into this Port to free her from which it was Necessary to take out and Land her Cargo as has been Done—and forasmuch as no forreigner may act as Merchant or factor in any of his Majestys Plantations under Severe penalties therefore it is Resolved by me with advice as aforesaid that the officers of Said Snow have a permission to one or More of the British Subjects to Refit the Said Snow or in Case she be not fit to be Repaired to Charter a proper Vessel to carry the Company and Effects to the Port Designed and provide them all other necessaries at the Cost and Expence of the Said Officers or Owners of the Effects and that they pay the cost and Expence of this Enquiry Examination and proceedure and Do further Advise that they Agree with all proper Persons who by Law have any Right to any proportion of Salvage of the Said Cargo or part thereof or otherwise according to Law adjust the same, and these things being Done and Satisfyed & all Charges paid they Receive the Residue of the Cargo to proceed their Voiage

R Wolcott

[Indorsed by Wolcott] Minits of my proceding in Relation to the Snow S^{t} Joseph & S^{t} Helena 1752

ANDREW McKENZIE TO ROGER WOLCOTT.

Hon^{ble} Roger Wolcot

Sir

Yours to the Super cargoe of the Spanish Snow, about M^{r} Cowley being satisfy'd I allow that M^{r} Cowley came here upon his own afairs; and at that time I was advised by my friends here to get him for interpriter; as he was a man of charecter; we had some talk ab^{t} his Satisfaction, he ask'd 100 Dollars to come up here & doe the business of an interpriter; I left it to M^{r} Sloan to say what it shou'd be, & he said as it was uncertain that I shou'd get a person for that end; & it was resonable to give him so much to come here & interpret on this afair which I agreed to but as he

declair'd himself off from that business last Saturday on the begining of the afair; I took on my self to be clear of that engagement, & it only lays with me to satisfy him for his ride up & his detention from tueesday till saturday; & for his being detaind here by your Honor's command; what ever you tacks the bill for his trouble I shall stand ready to pay it. I am Sir

Your Honors
Most Obt Humble Sert
ANDREW McKINZIE
15th Decmr 1752

BILL IN CASE OF SPANISH BOAT.

Bill Cost in the Case of the Snow St Joseph & St Helena, Don Christopher De Oranage Comr On the Examination into the Reasons of her puting into the Port of New London in the Colony of Conecticut

	Pistoles
To the Honble Roger Wolcott Esqr Governor	25
To the Honble Thomas Fitch Esqr Depy Govr	15
To Hezekiah Huntington Esqr	9
To John Bulkley Esqr	10
To Gurdon Saltonstall Esqr	8
Pistols	67
	Dollars
To Mr Joseph Cowley Interpreter	20
To Mr Abraham Cardozo ditto	15
To the Honble Govr Wolcott for Copys of proceedings, & Copys of Evidences, Authenticated	13
Dollers	48

New London Decr 15, 1752.
The above Bill allowed, & orderd to be paid
℔ R Wolcott Govr

Recd on Accot of the within Bill of Cost 25 Pistoles and thirteen Dollers
pr me R Wolcott

Rec^{d} on Acco^{t} of the within Bill of Cost Fifteen Pistols
℔ Tho^{s} Fitch

Rec^{d} on Acco^{t} of the within Bill of Cost Nine Pistols
℔ Hez. Huntington

Rec^{d} on Acco^{t} of the within Bill of Cost Ten Pistols
℔ John Bulkley

Rec^{d} on Acco^{t} of the within Bill of Cost, Eight Pistols for myself, & Twenty Dollers, for M^{r} Joseph Cowley.
℔ G Saltonstall

Rec^{d} on Acco^{t} of the within Bill of Cost Fifteen Dollers
Abraham Cardozo

JOSEPH MIGUEL DE SAN JUAN TO ROGER WOLCOTT.

S^{or} Governad^{r} Y Cap^{n} Gen^{l}

Pongo en la Alta comprehension de V. S. el Rezivo de su papel por mano de el s^{or} Cole'r, p^{r} el que veo dirije V. S. a mi advitrio* el pago de el travajo de su Interpretazion, y Respondo Diziendo, que V. S. lo arregle con la Justizia q^{e} ã costumbra, haziendose cargo ã de servir, el arreglo para q^{e} en ningun tiempo se me aga cargo, por los Interesados de Espana.

Dios que la vida de V. S. m^{s} años Nuevo Londres 15 de Diz^{re} de 1752.

Obligado y Reconozido Servidor de V. S.
JPH MIG^{L} de s^{N} JUAN†

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*Probably should be "arvitrio."

†*Senor Governor and Captain General*

I impart to your Honor's high understanding the receipt of your letter by hand of the Señor Collector, in which I note that your Honor leaves to my judgment the pay for the labor of interpretation for you, and I answer saying that your Honor may arrange it with the justice that is your habit, charging yourself with arranging it so that at no time shall there be any charge against me by the interested parties in Spain.

May God give your Honor many years of life

Your obliged and humble Servant
JPH MIG^{L} de s^{N} JUAN

New London December 15 of 1752

JEREMIAH MILLER'S BOND.

Know all men by these Presents I Jeremiah Miller of N. London in the County of N. London, and Colony of Connecticut in N. England am Holden & Stand firmly Bound and Oblig'd Unto y^e^ Hon^ble^ Roger Wolcott Esq^r^ Govern^r^ of y^e^ Colony of Connecticut in the full Sum of two thousand pounds old Ten^r^ Bills of C^r^ to be paid Unto y^e^ S^d^ Roger Woolcott Esq^r^ or to His Lawfull Attorney &c. to which Payment well & truly to be made and Done I the Said Jeremiah Miller Do Bind my Self my Heirs &c. firmly by these Presents Signed by my Hand, Seald w^th^ my Seal Dated at New London this the 15^th^ Day of Dec^r^ A D 1752

The Condition of this Obligation is Such that if the above Bounden Jeremiah Miller Shall well and truly Conduct In the Capacity of Nav^ll^ Officer for y^e^ Port of N. Lond^n^ and in all things Conform to y^e^ Acts of Parliament and the Laws of this Colony Respecting & Regulating the Nav^ll^ Office that then this Present Obligation Shall become void & of None Effect; but in Default thereof to be and Stand in full force & virtue

JER. MILLER ○

Signed, Sealed and Delivered
in presence of
JOSIAH WOLCOTT
ANN WINTHROP

[Indorsed] Navall oficers bond Dec^r^ 15 1752

ROGER WOLCOTT TO JOSEPH HULL.

To Joseph Hull Esq^r^ Collector of his Maj^ties^ Customs att the Port of New London.

*S^r^*

The goods & Effects of the Snow S^t^ Joseph & S^t^ Helena, are by the Laws & Customs in such Cases in your Custody. And as my Inquiry relating to the State of that Affair is now at an end, I have tho't fitt to order & direct that the s^d^ Goods & Effects Remain in your Custody, untill

all the Cost & Charges of my Inquiry in said Case, (as the same has been allowed by me, the Acco^{t} whereof you will have in your hands) shall be paid & satisfyed.

And then the Master or other officer having answered the Salvage, & all other Reasonable Cost & Charges that shall agreable to the Laws be allowed in the said affair: That then the s^{d} Officer be allowed to Receive the s^{d} Goods into their own Custody again.

R WOLCOTT Gov^{R}

N London Dec^{r} 16. 1752.

[Indorsed] Order to M^{r} Collector. Dec^{r} 16 1752

JOSEPH MIGUEL DE SAN JUAN TO ROGER WOLCOTT.

Honorable S^{or} Governador:

S^{or}

Partizipo â V S el Rezivo de su favorezida, por mano de el s^{or} coronel, â cuyo contenido Respondo Diziendo, el estimo y le agradezco en el Alma, la prevenzion que se sirse hazerme, de vivir con cautela, y doi â V. S. infinitismas des Grazias, a si mismo veo que Igualm^{te} V. S. desea, âdmita, a el dho s^{or} coronel para que con Mesquinse, sea el que nos abilite de todo lo nezesario, y de no ser asi, porsi solo, a lo que con la atenzion de vida digo â V. S. no poder Deliverar sobre el asumpto, respecto de haverle pedido oy cuentas a el Expresado Mesquinse, que entregadas seran reconozidas a toda satisfaczion, como tambien verificare por ellas si vienen arregladas en Justizia que de no venir, asi, entonzes comunicare con los demas ôfiziales sobre la Orden de V. S. ã quien gustoso me ofrezco, descoso de emplear mi Inutilidad emprezeptos, de sus mui apreziables orñs, q^{e} mientras V. S. me las Dispensa, pido â Dios que la Vida de V. S. m^{s} a^{s}

Nuevo Londres 18 de Diz^{re} de 1752.

Hobligado y Reconoz^{do} s^{dor} de V. S.

JPH MIGUEL de S^{N} JUAN*

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* *Honorable Senor Governor*

Senor

I notify your Honor of the receipt of your letter, by hand of the Señor Colonel, to whose contents I answer saying, I value and gratefully acknowledge

ROGER WOLCOTT TO GURDON SALTONSTALL.

Sr

I do hereby Apoint you my Agent to Whome the Super Cargo and officers of the Snow St Joseph and St Helena may Aply for What money shall be Necesary for the suport of themselves and Company and to defray all Costs of the Inquiry of the sd Snows Lawfull Entry into the port of New London and all other Costs and Charges Lawfully taxed on said Super Cargo or the Efects brought in by sd Snow as also for the Refitting sd Snow or Chartering another vessell for the Transportation of the Company and the Cargo to Spain According to a further order Given to your self and Mr Andrew McKinzie reference thereunto being had, you are to receive the Motions from the Super Cargo in writting and keep fair Accts of your Doings hereon Which you are from time to time to Transmitt to my self Given under my hand in Lyme this 18th Day of Decr A D 1752

R WOLCOTT Govr

To Gurdon Saltonstall Esqr In New London

[Indorsed] orders to Coll. Saltonstall and the Colector 1752

ROGER WOLCOTT TO JOSEPH HULL.

Decr 18th 1752

Sr

upon further Consideration of the Tumults that were in New London before my Coming there by which the Cargo brought in by the Spanish Snow St Joseph and St Helena was

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from my soul the warning which is given me, to walk with caution, and I give to your Honor most infinite thanks. At the same time I see that equally your Honor wishes me to receive the said Señor Colonel in order that with McKenzie he may fit us out with all necessaries; and if it be not so, by itself alone, with all the courtesy in the world I tell your Honor that I cannot confer on the business, on account of having demanded a hearing of accounts from the said McKenzie, that the goods delivered up be ascertained to general satisfaction, as well as to verify them if they turn out to be adjusted with fairness, and if they do not turn out so, then to communicate with the rest of the officers under the order of your Honor, to whom I gladly offer myself. I babble of employing my uselessness on commissions by your much appreciated orders which meanwhile you may dispense to me. I ask God for many years of life to your Honor.

Your most humble Servant

JPH MIGUEL de Sn JUAN

New London 18 of December of 1752

Endangered to be Embezzeled and Lost and that the Spanyards will be utterly unable to protect their Goods if delivred to them before they are shipt on bord and which if it should hapon might bring much trouble upon my self.

I there* hereby order and Direct you to Keep the sd Goods till they are shipt on bord for their voyage to Spain.

I have apointed Colonell Saltonstall my Agent upon Whome the super Cargo of the Snow may Draw for all Costs Taxt upon the Super Cargo or owners of the Good for salvage storeage the Inquiry after her Lawfull Entry into the port of New Lond refitting the Snow or Chartring a vessell for the Return of the Company and Cargo to Spain and also all other Costs Lawfully taxed on the sd Super Cargo or owners of sd Goods

R WOLCOTT Govr

To Joseph Hull Esqr Colector of His majestes Customs for the port of New London

ROGER WOLCOTT TO THE COMMISSIONERS FOR TRADE AND PLANTATIONS.

Windsor Decr 20th 1752

My Lords

I have Received their Excellencys the Lords Justices Instructions of April the 16th with your Lordships Letter of April 28th Certifying the Same

I have also Receivd a Letter from Mr Hill of April 15th with four Acts of Parliament Enclosed in it

And in Obedience to their Excellencys Instructions I herewith Transmitt to you a Book of our Laws according to their order†

Suffer me My Lords to Express my hearty thanks for his Majestys Gracious Care of the Plantations in his order

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* A copy among the Wolcott Papers reads "therefore."

† This "Book of our Laws" was a copy of the then recently revised edition printed in New London by Timothy Green in 1750. The volume itself may still be seen in the Public Record Office among the Board of Trade papers where it appears as Proprieties. It is certified at the end by Governor Wolcott (with red wax seal) to be the laws in force and published 26 December 1752. *Charles M. Andrews in American Historical Association Annual report*, 1908, vol. 1, p. 424.

in Council of April 11th and Assure Your Lordships that we Shall with the Greatest Chearfulness Conform ourselves to it

And Since it is his Majestys Gracious pleasure that by you we have access to the throne Let me Intreat your Lordships favourable notice of this Colony who are a People firmly and universally Devoted to the Illustrious House of Hannover and to his Majestys Sacred person And his Government May God Long Preserve his Precious and Invaluable Life Make his Reign Glorious And never Suffer the Brittish Scepter to Depart from his Royal Family

I am Your Lordships
Most Obedient
Very Humble Servt
R WOLCOTT

To the Right Honourable the Lords Commissioners for Trade and Plantations

[Indorsed] To The Lords Comissioners for Trade and plantations Decr 20th 1752

ROGER WOLCOTT TO BENJAMIN AVERY.

Windsor Decr 20th 1752

Sr

I acknowledge Your favour of the 22d of Sept last and it is a pleasure to me to find that the Acknowledgment made by the assembly is Acceptable

From the book I Sent I Expected You would Take no other notice than that of the widows mite Sent in out of my Penury whilst others out of their Abundance make More Valuable Presents. If there be found any thing in it agreeable to You this must be owing to Your Candour only.

Althô the Assembly have a Confirmed opinion of Your ability, Yet they have not Exalted You beyond the Species of Mankind in whose nature it is to Err if Such a thing Should happen in Your account (Which I Don't Expect you will doubtless find no Severity in them

I am affected to hear of the Repeated Abuses put upon You by the Purchasers of bills of Exchange. Since I heard of it I have Charged Every one to Avoid the Mischief

I have Informed Colº Williams's Son that You have not heard from him Since his Coming home. Mr Williams Was Surprized at it and Said his father had Sent You two Letters. I trust You will hear from him by the Conveyance that brings You this

This Government have Valued themselves Much upon Your friendship to them of which we have had many Instances and I Rejoice to find Your Kindness to Continue the Same of which I think we have never Stood in More need than at this time in the affair we have with Mr Mason

That Gentleman and his Father Hatched up a design to Depopulate a large part of the Colony of English Subjects under Colour of Serving a few Mohegan Indians whom he and his ancestors have Instigated to Claim the Lands. Yet the Sachem and Greater part of the tribe would not Joyn with him

We have had two Tryals of the Case before Commissioners and Gained the point and it now Lyes before his Majesty in Council for a final Determination

The Case is so Lengthy I Cannot Give You the Trouble to Lead You into it and Shall only observe that Mr Mason has been Several Years in London waiting upon it in Forma Pauperis and has been so Lucky as to Draw Several Sums out of the Treasury and Likely to obtain an order for more. by this there arises a Suspician he has made Some Compassionate Impressions in his favour

I am a Stranger to the Lords in Council and to the Methods used in Such Cases and althô I doubt not the Justness of our Cause Yet it will be So Long and Tedious in Hearing it is no wonder if their Lordships be weary in their Attention. From these Considerations you will Oblige the Colony Verry much if you would Concert with Mr Partridge and as You Shall think proper wait upon Some of them and Prevail with them to Master the Tediousness of the Hearing and obtain a full understanding of it and then we doubt not but Justice will be done us. Which is all we want

I have Wrote to Mr Partridge to Concert with You in this affair to whom I must also Referr You to Know of what Importance it is to us And Am

Your Most Obliged
Very Humble Servt
R WOLCOTT

To Doct Benjamin Avery
[Indorsed] To Dr Benj Averie Decr 20 1752

ROGER WOLCOTT TO RICHARD PARTRIDGE.

Windsor Decr 20th 1752

Sr

I now acknowledge Your favours of the 11th of April and 21st of May and of June the 2d and 24th with the Prints for which I Give You thanks

I have also Just now Recd a Letter from Mr Wells of the 30th of Sept by which I am informed that mine to You of June 10th with the Book &c are come Safe to Your hand and the book Containing Masons case before the Commissrs delivered to Mr Sharp our Solicitor which I hope will be of Good Service

Capt Hall has informed me what Mr Horsmanden wrote home. I find it is of a piece with the Temper he appeared in at the Tryal

But as the book Sent You Makes it Evident that his Representing of us as Refusing to purchase it from the Commissrs was Injurious So I trust the Evidence pleadings and Judgment Given in that Case will Clear us from all other his Misrepresentations

His Great Endeavour is to prove the deed from Uncase Sept 28th 1640 is a forgery because the Signing of Uncase and Poxon appears to be done by men used to Manage a pen. To obviate this I have Enclosed the original deed it Self by which I doubt not the Contrary will most Convincingly appear. He observes there are Several harts drawn in that Signing. To this You must be Informed that altho' the Indians never used a pen before the English Came Yet

they had a natural Inclination and Ingenuity to paint or print the Images of Visible and natural objects upon their faces and Elsewhere and they Prided themselves in being Accurate in it so much that they Scarsely ever omitted it when they drew any figure. Let this be Considered with the face of the Signing and those observations he makes upon it will Coroborate the Evidence that it was Genuine

I have also inclosed You Some arguments offerred by our Council before the Commiss^{rs} from which it is Likely M^{r} Sharp may Receive Some advantage in Pleading Let me intimate to You that Gov^{r} Shirly and M^{r} Bolan were both M^{r} Masons Attorneys from whom he may Possibly now Expect Some Service

You will find by what is Contained in the book that this Family of the Masons have been Setting up in themselves A Guardianship to the Indians Selling the Country for thô Owaneco Signed the Deeds Mason took the purchase Mony and it has been at the Expense of Several thousand pounds that the Government have Secured and Defended to the Indians above five thousand acres of Land from the Rapacious hands of the Masons at this they have been Stirred up to Make the Indians uneasy Insinuating into them that they will Get for them the Englishmens houses Yet the late Sachem and the Greater part of the Tribe Could never be moved from a Sence of our Kindness Knowing they are but few in number and have Twenty times as Much Land as they Can use. but he hath brought in the Nahantick Pequots and other Indians he Could Pick up to Sign his power of atturney only to make an appearance to personate a Great number. but I Shall not need to Enlarge the paper book will Shew it abundantly

The Case is of the utmost importance for if he prevails a Large part of the Country will be Depopulated and Many Hundreds of his Majestys Leidge Subjects Turned out of their freeholds and undone

M^{r} Masons Long Continuance in London and obtaining So far a Supply of Mony Makes me fear he has Made Some compassionate Impressions in his favour, which will Doubt-

less be taken off whenever the Case Comes to be Considered in its true Light

But the Case will be Long and Tedious in the Hearing and it will be no wonder if their Lordships be weary in their attention

You are Sensible I am a Stranger to them therefore must Referr Myself to You and Doctr Averie (to whom I write on this Subject)

With this advice that in Concert with him You apply to Such of them as You think propper to Engage them to Master the Tediousnesness of hearing and to Gain a full understanding of the Case and then we doubt not we Shall have Justice done us which is all we want

In this Matter You will be prudent and what Charge You Shall be at will be alowed you in Your Account

with Respect to any Motion Made by the Sugar Colonys or Merchants Trading there to the Disadvantage of the northern Colonys You will not be alone in Making the Defence and You will be very Carefull to Endeavour we Suffer nothing thereby

I have met with unexpected Delays in procuring the Exhibitts Necessary to be provided in the Case of the Line but am in hopes to have all ready by the Spring

Please to Deliver the Letters and Packett as directed and Accept My thanks for the Good Services You have done for the Colony. who am

Your Most Obliged
Very Humble Servt
R WOLCOTT

To Richard Partridge Esqr

GURDON SALTONSTALL TO ROGER WOLCOTT.

N London Decr 24, 1752 P M. 7 Clock

Honble Sr

I am to inform You that Judge Moris is still holding Court, & that no other Lible then Capt Simpsons is exhibited.

Capt Durfey seems determined to take his remedy, (if he canot compound with the Spaniards, at Common Law.

And I can't help conceiveing, the Court of Admiralty will be put to dificulty, should they give Simpson a large Sum for Salvage, how to suport such a Judgmt. Could they prevail on Durfy to Libel, as his doings seem to be most to the Spaniards Advante in that Case a Judgmt for him & Simpson together, would be much easier supported. But this cannot be effected. Durfey dont desire such a Judgmt as he Imagines might there be.

Your Honrs favr from Lime I recd and on Wednesday comunicatd it to the Spanish Mercht havg presented the former Order on Monday & given Mr McKenzie on same eveng a Copy of that he was concern'd in, and he declared publickley he would not join in the Agency, though he never said a lisp to me. I sent his Copy by his Apprentice. The Spanish Mercht seemd well to aprove Your Honrs last Comands (tho' the letter Inclos'd was wrote prior to his knowlege of that order nor do I know its contents) It seems McKenzie was not by them apointed Agent, all he can produce is (as I understand) a line from the Spanish Mercht promising to Reimburst him his charges in geting the Goods on Shore—the Mercht would not allow his apearance at Court, nor consent to mine, but desir'd I would read your last Order to the Court, wch I did, & insisted I had right to appear, tho' the Court did not resolve yt point, & perhaps never will. What defence the Mercht will make cañot say, but he informd the Court he would exhibit a writing under his hand—at next opening. Mr Aplin is here sent for by Mr McKenzie but the Mercht don't improve him, nor does he seem dispos'd to have Council—his Docr went Tuesday last to Boston, probably for advice & a sound Interpreter.

The Mercht &a are very often at my house where they are entertain'd as they are pleas'd to say much to their Satisfaction; & I believe don't Visit Mr McKenzie, at which learn, he's much Shagrind. This day they acompanied me to meeting off their own mere motion. Your Honr will excuse this long Accot as I knew not how better to give you a Just Idea how matters stood, at present The Mercht is satisfy'd his mony could be lodged no where Safer—moreover

that the Court of A—— cannot possibly come at it. I shall do my utmost for the Service of the Spaniards, as well as for the Hon^{r} of the Governm^{t} which I know must be the most Effectual means to Reflect Hon^{r} on Y^{r}

Most Obed^{t} Hum^{e} S^{t}
G SALTONSTALL

To Roger Wolcott Esq^{r} Gov^{r}

GURDON SALTONSTALL TO ROGER WOLCOTT.

N London Dec^{r} 28th 1752 P. M. 4 Clock

Hon^{ble} S^{r}

I send this Express to acquaint your Hon^{r} That M^{r} Hull with a Warant from the Court of Vice Ad^{y} to aprise the Goods in my Custody, came at the head of about 60 men, to enter by Force into my Cellar. I absolutely refus'd him admitance in such hostile manner, and as I was apris'd of the design, had provided Constable & men to assist; & orderd them to dispers & the Constable read the Proclamation for that purpose enacted but it was not Regarded. M^{r} M^{c}Kenzie boldly declard to me I was head of a Mobb—there was some strugle & a few blows but no wounds, they are now gone off, the Event of this night, I know not—but the opposition is from Strangers principally. I pray your Hon^{rs} further direction—the bearer M^{r} Jabez Crocker was an Eye Wittness to the whole, to whom I refer your Honour for further information—& begg as speedy an answer as may be. The Confusion I have been in will excuse my enlarging I am

Y^{r} Hon^{rs} Most
Obed^{t} Serv^{t}
G SALTONSTALL

To Roger Wolcott Esq^{r} Gov^{r}

P S. Cap^{t} Durfey has not Libeld & depends on hav^{g} his remedy by Justices apointed.

Simpsons Libel is in Court & Judgmt not given & the Spanish Seamen also have libeld the Court that condemnd the Ship. M^{r} Hull told me this says he intended to put the mony in his Chamber

JOSEPH HULL TO ROGER WOLCOTT.

Sir

The day before yesterday the Appraisers appointed by the Court of Admiralty to take an Inventory of the lading of the Spanish Snow waited upon me (after having Vewed & taken an Accoᵗ of the Goods in the other Stores) & desired me to lett them See the Goods in my Custody in the Stores of Collˡ Saltonstall I thereupon went with them to Sᵈ Stores & Collˡ Saltonstall absolutely Refused to let us Enter, which being reported to yᵉ Sᵈ Court, I yesterday receᵈ an Order from the Sᵈ Court, to let the appraisors have the Sight of those Goods without delay; havᵍ receᵈ this order & fearing as I had Acknowledged, to the Judge of that Court, that the Goods were in my Custody & that I had the Key of that Store, I might be blamed if I did not endeavour to Comply with the Said order, I applyed to the Justices for Assistance & Some other Persons to enter into the Sᵈ Store wᶜʰ I conceived I had a right to do, as I had the Key, but Colᵒ Saltonstall opposed me & them with armed force & Refused to let me Enter, upon which I came away.

I fear that as I lodged those goods in that Store at the Kings resque as Collector that I may Suffer for not taking all the Steps in my power to Retain the Possession & Custody of them & Humbly pray your Honours Assistance & advice in this Affair in order that I may be Restored to the possession of the Sᵈ Moneys & Effects and am Your Honours

Most Dutifull & Obedᵗ

Humbˡᵉ Servᵗ

JOS. HULL

N. Londᴺ 29ᵗʰ Decʳ 1752

A Copy

[Indorsed by Wolcott] From Joseph Hull Esqʳ Decʳ 29ᵗʰ 1752

LEWIS MORRIS TO ROGER WOLCOTT.

New London 30. Decem^{r} 1752

Hon^{ble} S^{r}

I acquainted your Honour of an Application made to me to hold a Court of Admiralty in the Colony of Conecticut in order to Decree a Salvage to Captain John Simson who had saved a Spanish Snow and her Cargo, I accordingly held a Court and took every Step agreeable to the Law Marine and the Laws of England, and in the course of my proceedings Isued an Order to the Collector to Shew the Goods to certain Appraisers I had appointed to Appraise the said Goods, that I might form a proper judgment of the Value; in order to Decree an Adiquate Salvage to the said Simson; Several Persons who had Stored these Goods opened the Stores by the Collectors orders, and Shewed the Goods to the Appraizers, but when they came to the House of Coll. Gurdon Sallstonstall one of your Honour's most Honourable Council, He with Force and Arms, hath detained the Money and Effects in his Hands, and although his Majesties Collector applyed to the Civil Officers of the Goverment to assist him in the Execution of his Office, he was strongly opposed by one of your Honourable Council by Force and Arms;

I thought it my Duty as I am order'd by my Commission under the Seal of the High Court of Admiralty, now on Record at Hartford in this Colony to Demand the assistance of the Governor and every Officer in the Colony, who by that Commission are obliged to assist me I therefore take this opportunity to Demand your Honours assistance, and every Officer in the Government to assist me in the Execution of the Decree given, and also for the Protection of myself and the Officers of the Court of Admiralty; The Marshall of the Court has already been Attacked, by one of the Guards appointed by Collonel Saltonstall, in the Public Street, at Eleven of the Clock at Night, and had no Step to take for the Preservation of his Life, but by opposing Force to Force; what Treatment I have met with myself, I shall take some other opportunity to acquaint your Honour, at

the same time I must acquaint your Honour, that I shall represent the Affair to His Majesty and his Ministers in the Strongest Terms Imaginable, at the same Time I hope your Honour, and the Goverment by your future Conduct will Mittigate the Just Resentment of the British Ministry

I have The Honour to be
Your Honours Most
Obedient Humˡ Servᵗ
LEWIS MORRIS

JOHN BULKLEY TO ROGER WOLCOTT.

Colchester Decʳ 31: A D 1752

Sir

By the bearer hereof I Recᵈ a letter from Colᵒ Morris Complaining of very harsh treatment he has mett with at N Londᵒ in Consequence of his Decree Relating to the Snow Sᵗ Joseph & Sᵗ Helena wᶜ he Says is Coppy of wᵗ he has Sent to your Honʳ The tempers of the people are doubtless greatly Raised and Interest in the Case obliges Strongly. I wish nothing may be done to Serve private Interest on the one Side or the other that may have any Ill Influence on the Governmᵗ and I Concluded that Your Honʳ left the affair in Such a posture when you Came away yᵗ there was no danger of it & that when they had Complyed with your last order about the Charge of the Inquiry That then the Dispute about the Salvage & other Costs would not Concern us. and I wish it might be considᵈ in that light Still. for the Governmᵗ are not answerable for the proceedings of the Admiralty as I Conceive unless that Court Claims Jurisdiction when it has none. I pray Your Honʳ to Excuse my writing Especially att this time & beleive that nothing but a Concern for the Interest of the Governmᵗ would put me upon it

I am Your Honʳˢ
Most Obedᵗ Humˡᵉ Sertᵗ
JOHN BULKLEY

Govʳ Wolcott

[Indorsed] From John Bulkley Esqʳ Decʳ 31 1752

ROGER WOLCOTT TO LEWIS MORRIS.

WINDSOR Janry 1st 1753

Honble Sr

On the 27th of Decembr last I Receivd a Letter from Colo Saltonstall Informing me the Collector having A Warrant from You to take an Inventory of the Effects brought in by the Spanish Snow Came to his Store house with about Sixty men to Open the Doors and that he Considering the warm Tempers that are now in the Town and the appearance of Such a Multitude which Could not be propper to do the Service You had Ordered he Suspected Some Ill Design from Some of them and opposed it

Indeed I could not See the propriety nor Safety of opening the Goods and taking an Inventory of them amidst Such a Number: which I Signifyed in a Letter both to the Colo and to Mr Hull and also that the Effects were Lodged in the Collectors hands who had my orders as well as Yours to Take an Inventory of them

I hope the Colonells Resistance was not designed to oppose Any order of Yours or Mine but only to have it done in Such Manner as might be Safe for the Goods of other men which his Store had been Charged with as well as for his own

I have Received Your of the 30th of December last and I have Made out an order to the Sheriff to Protect Your Court and assist if need be in all the Lawfull orders of it which I have presumed to Enclose in this Letter to You to be Used if it be wanted which I Suppose it will not I have wrote to Colo Saltonstall to Suffer the Collector to take an Inventory and to the Collector to the Same Effect and that he Carefully Keep the money in his hands to answer all Charge that shall be Lawfully adjusted upon it and the Remainder for the owners I am

Honable Sr

Your very Humble Servt

R WOLCOTT

[Indorsed] To Lewis Morris Esqr Jan 1 1753

ROGER WOLCOTT TO THE SHERIFF OF NEW LONDON COUNTY.

To the Sheriff of the County of New London Greeting

Whereas the Hon^ble^ Lewis Morris is now holding a Court of Vice Admiralty in the Town of New London

These are in his Majestys Name to Command You to protect that Court and Assist in the Execution of the Lawfull Decrees of it if You are Requested So to do by the Hon^ble^ Judge

Given Under My hand and Seal in Windsor this first day of Jan^ry^ in the Twenty Sixth Year of his Majestys Reign Anno Domini 1753

R WOLCOTT Gov^R^

Copia

[Indorsed] A Copy of An order to the sherif of New London Jan 1 1753.

JOSEPH MIGUEL DE ST. JUAN'S POWER OF ATTORNEY.

Know all men by these presents that I Joseph Mig^l^ de S^t^ Juan Super Cargo & Derecter Generall of the Spanish Ship the S^t^ Joseph & S^t^ Helena now at New London do Constitute and appoint Tho^s^ Duncan of New York Merch^t^ to be my Attorney Giveing and hereby granting him full power & lawfull authority in my name & in my behalf to appear for me before any Court or Courts of Vice Admeralty in y^e^ province and Colony of New York there in my behalf to prosecute answer defend & reply to any process Libell that may be brought in the Said Court wherein I am Concernd in Wittness whereof I have hereunto sett my hand and Seal at Boston this 1^st^ day of January 1753

JOSEPH MIG^L^ DE S^T^ JUAN

Signed Sealed & delivered

[ ] the presence of us.

JOHN BURBOON

SAM^LL^ HUGHES

New York 6th march 1753.

Sir/

Having receivd the promise of Don de St Juan & Mr Lattouch to pay me for what Services I did at your Instance by virtue of the above power, I therefore release you & am

Your very humble Servant

WM SMITH

RICHARD PARTRIDGE TO ROGER WOLCOTT.

London: 1st mo or Janry 11th 1753

Govr Wolcott

I wrote thee last via Maryland & Ireland of 23d Novr concerning the Affairs of the Colony to which I refer having heard nothing further thereabout Since.

Thy letters of 10 June last concerning Capt Newberrys Widow inclosing Capt Nathl Shaws Affidavit I have duly recd & writ again into the Country to Majr Hepburn & sent him a Copy of it, a Copy of whose answer I now send thee here inclosed whereby thou wilt see he still utterly disclaimes the knowing any thing of the Matter, but seem's to refer to one Jno Gibson who succeeded Capt Newberry in his Company—upon which I have writ again to Majr Clarke of Jamaica a Copy also inclosed, & send it to a ℘ticular Friend of mine at Jamaica to deliver—being willing to do what is in Power to Serve her therein—Yet cant but have some Jealousy, that the Master of the Vessel on board which Capt Newberry died, must have Secreted his money & Effects for his own private use notwithstanding his Affidavit, for t'is Strange he could not certainly know to whom he deliver'd them altho' he might have lost the Rect as he pretends.

As to the Widows Bounty there is now another whole Years due for which I have yet recd no Certificates from her besides about £5 I have in hand of her Money.

As for the Errears of Capt Newberrys Accot I sent to C: Kilby about it & he says what Money he recd on that Accot he remitted long Since to Parson Wells which he

thought was about 7 or £8. I intend to enquire at Wilsons Office further about it.

This day the Parliam^t met for the dispatch of business when the King made a Speech to them from the Throne which I send thee here inclosed from

Thy assured Friend
R^D PARTRIDGE

upon enquiry I dont find but the Affairs of your Colony remain just as they did when I writ thee last of 22^d Nov^r & nothing at all further done therein in any respect

[Superscribed] To ROGER WOLCOTT Esqr Governor of the Colony of Connecticutt Windsor via Philad^a ℔ Capt Mesnard

[Indorsed] From R P Jan 11 1753 Recd Aprill 25th

BENNING WENTWORTH TO ROGER WOLCOTT.

PORTSMOUTH January 17th 1753

Sir/

M^r Daniel Blake the bearer hereof I have Thought fit to Employ as a deputy under me, To take care of His Majesties woods within your Honours Government, and as he has met with some obstruction In the Execution of His duty, I have thought it Necessary to send under his Care, An authenticated Copy of His Majesties Commission appointing me Surveyor General of His woods, in all His Colonies and Plantations In America, which please to give orders for the recording of, That no prejudice may arise to His Majesties Service in future.

I have also committed to the Care of Said Blake, Governor Shirley's Warrant to the Civil Officers in His Government to be aiding and assisting To me and my officers in the Execution of their duty, And I shall Esteem the favour, highly, If your Honour Will cause a Warrant to be made out in favour of M^r Blake, as nearly as is Consistant with the Laws of Your Government and His Majesties Service.

For preventing any delay in his Processes In the Court of vice Admiralty where the King Is Concerned, I must request That you appoint a Judge Advocate In a way Consistant with your Constitution My reason for this request is founded upon an Information, That the Judge Advocate's Commission for New York, does not Extend to your Honours Government, Although the Judge of vice Admiralty's Commission gives Him Jurisdiction in both Governments, and if this be fact There is an absolute necessity for the appointment of Such an officer.

After my Commission is recorded, and You have made such use of Governor Shirley's Warrant as you Judge proper, Please to order both the one And the other, To be delivered to M^{r} Blake in order To Transmitt to New York. I am with great Respect

Sir Your Honours

Most Obed^{t} hum^{ble} Servant

B WENTWORTH

The Hon^{ble} Roger Wolcott Esq^{r}

DANIEL BLAKE'S COMMISSION.

Province of New Hampshire

To M^{r} Daniel Blake of Midletown in the Colony of Conecticut Greeting

Whereas Great spoill has been made in His Majesties Woods in the Colony of Conecticutt for preventing whereof I Do hereby Authorize and Impower you the s^{d} Daniel Blake to take Especiall Care of the preservation of His Majesties Woods in said Coloney Hereby Impowering you seize all White pine trees that you may find Cutt within the said Coleny also all Logs or other timber into which the said trees or Masts may be Cut Marking all and Every such log or tree with the broad Arrow and forthwith to Give Information thereof to the Judge Advocate of the Court of Vice Admiralty for the Coleny aforesd to have and to hold the sd Imployment during pleasure and as a reward for your ser-

vice herein I shall make you an Allowance out of the forfitures and seizures you may Make and this shall be a suficient Warant for your doings herein Given at Portsmouth Jan 17th 1753 in the 26th year of His Majesties Reign

B WENTWORTH

Province of New Hamshire

The within Named Daniel Blake was Admitted and sworn to the faithfull Discharge of his office this 17th day of January 1753

Before me B WENTWORTH. Sur Genll

GURDON SALTONSTALL TO ROGER WOLCOTT.

NEW LONDON Jany 27th 1753

Honble Sir

I am to acknowledge your various favours by Capt Shaw, Mr Crocker, & Mr Sage—And that I recd the Copys of the Govrs Enquiry &c—& have them still by me, the Merchant has not ask'd for them, but no doubt will, ere he departs, & shall take care to receive the pay for them. I have been ever ready to do all in my Power, for the Spaniards, & have their Compy often at my house—& have a free Correspondence, though little on buisness; save only when they apply for my advice. Since all controversey respecting the Custody of the mony Subsides, its unnecessary to trouble you, on that affair, save only, that, on Receipt of your favour, by Mr Sage; I immediately waited on the Collector, & communicated the contents of sd letter; & thereupon told him, if he chose to have Custody of the mony, & remove it, upon paying the necessary charges acrued thereon, he was very welcome, to take it when he pleas'd; And he seem'd well satisfy'd, to have it where it was, & still remains; Save only Six Chests which the Spanish Merchant has taken, by order of the Collector, to pay his Seamens Wages. It appears as if the Seamen would take every one his own way, to get to Spain, & I hear nothing of their wanting a Vessell at present. As your Honr will receive this by Capt Miller,

refer you to him for a more ample Acco^{t} of these Affairs & remain

Y^{r} Hon^{rs} Most Obed^{t} S^{t}
G: SALTONSTALL

To Roger Wolcott Esq^{r} Gov^{r}

P. S. The leter rec^{d} ℔ M^{r} Sage, had been twice Seald, with Wafers, & therefore must have been open^{d}, ere your Hon^{r} deliverd it him, or afterwards, before it came to hand —the truth of which should be glad to know

[Indorsed] from Col^{l} Saltonstall Jan 27 1753

STEPHEN HOPKINS TO ROGER WOLCOTT.

Providence January 31. 1753

Sir

A Convenient Oppertunity offering, has afforded me the Pleasure of Sending my Complements and Sincere Affections to your Honour, and will give you the Trouble you are unaccustomed to, of Reading for no Advantage, we have not yet been Certainly informed whether the Colony of Conecticut have really Sent their Case Home or not, but am pretty well Assured our General Assembly will put the last hand to Ours at their Meeting on the last Munday in February and then it will be Sent directly away. I Congratulate you and the Colony you Govern on the arrival of so much Money there; for as Matter Naturally Attracts Matter, there is no Doubt but some part of it will adhere to the Soil of Connecticut. Pray give my Service to Cap^{t} Wolcott M^{r} Lyman. And Accept the Same from Your Honours

Most Obedient
and Most Hum^{le} Serv^{t}
STEP HOPKINS

[Superscribed] To the Hono^{ble} Roger Wolcott Esq^{r} at Windsor ℔ M^{r} Rob^{t} Gibbs

[Indorsed] From Stephen Hopkins Esq^{r} Jan 31 1753

ROGER WOLCOTT TO BENNING WENTWORTH.

WINDSOR Feb 5th 1753

Sr

Yours by Mr Blake of the 17th of January I Recd and Imediately Gave order to the secretary to Enter your Comissn in the public Records of the Colony

I fear the Dificulty between Mr Blake and the people will be About the white pine trees that are the property of private persons

The former Custome of this Colony was for the Corporation to Grant tracts of Lands to particular Towns and the Law of the Colony then was and still is that such Grants should make a fee simple in the Inhabitants and upon this Custome almost all the Lands in the Colony are setled

There are no White pine Trees fitt for His Majesties navey as I hear of Growing in this Colony but on the lands Lying on the North west part of it. These Lands Were Granted by the Corporation to the Inhabitants of the Towns of Hartford and Windsor in the year 1686 and have since been setled into Towns and Divided in severalty into particular Lotts and Divisions among the first Grantees and their Assynes who are now liveing and Improving upon them according to such Divissions

I have No Acts of Parliament before me respecting the White pine trees but that of the Eigth of His Late Majestie George the first and that passed in the second year of His present Majesties Reyne in which there is an Express saving for such White pine trees as are the property of private persons and Mr Blake some time since shewed me your Instructions to him Where as I Remember (for he left me no Copy) there Was the like saveing

Having thus sett the Case before you in its true light as far as it appears to me I should be much obliged to receive a line from your Excellency to Inform mee if there be Any other Act of Parliament respecting this Afair and any other light your Excellency shall please to give me that so on the one hand there may be no needless trouble and Costs occasioned by Mr Blakes seizing trees that are saved to the

proprietors Nor any omission on the other hand in this Government to assist and suport you in preserveing His Majesties Timber according to Act of parliament

And it will further appear Neccesary for that the apointment of a Judge Advocate and orders to the Civill officers to assist you must Come from the Assembly and a Judge Advocate being an officer wholy New to us it will be proper for you in your Answer to this to Enclose mee a form for his Apointment or Comission with advice of the duty and bussiness of his post

our Assembly will sit in May Next before which I shall Lay this Afair and Who I doubt not will do Every thing belonging to them in it and it will prevent delay if your Answer to this should Come to my hand before that time I am with Great Respect

your Excellencys Most obedient
very Humble servt
R WOLCOTT

To His Excellency Benin Wentworth Esq
[Indorsed] To Govr Wentworth feb 5 1753

ROGER WOLCOTT TO STEPHEN HOPKINS.

Windsor Feb. 5 1753

Sr

This Minuite I Recd yours of the 31st Jan past the bearer Mr Gibbs will not stay and having seldom an oportunity of Conveying a Letter to you I am forced to lett you know how well I Can write without thinking

Our Case is not yett Gone home I have sent an Express into the Province to procure the Evidence we want from thence and to git them Authenticated these being the last Exhibits I shall prepare I hope to have the Case in a Readiness to Lay before our Asembly in May and then I Expect it will soon be sent forward

I have some time since wrote to Mr Harrisson for a duplicate of his Map with the Evidence that was put to the former but it is not Come you will much oblige us if you

Can forward it with an Acc[t] of the Costs belonging to us that it may be paid

I am glad your Government are in such forwardness and hope we shall not be long behind you

Money it is true hath a strange operation on mens Muscles to make them Work quick but we in Conecticutt are such strangers to it that Altho our Afections are Good yett we are so Auk about it that you will not be surprised if we fall much short of men of skill in the management but if any of it should stick to the soil I shall Congratulate you on the Accomplishment of your friendly Wishes to us

Give my service to all that shall do me the Hon[r] to Ask after me Who am

your Most obliged
very Humble serv[t]
R WOLCOTT

To Stephen Hopkins Esq[r]

[Indorsed] To Stephen Hopkins Esq[r] Feb 5 1753

ROGER WOLCOTT TO BENJAMIN AVERY.

Windsor Feb: 7th 1753

S[r]

I hope My Letter, to you of the 20th of December past May before this time be Come to your hand Since that I have Receiv[d] yours of the 16th of october past with your account which I have Looked over And Observe no Error in it but you had not then Receiv[d] a Considerable part of the bills I had Drawn upon you.

According to the Cost I have Made upon the money you Receiv[d] and the bills Drawn upon you to this time the account is as Followeth

The Grant Made by the Parliament to the Colony					28863	19	1
Deduct for the Charges at the Treasury					141	4	1
Remains					28722	15	0
Bills Drawn upon you by Gov[r] Law	725	0	0				
Bills drawn upon you by myself	26885	6	8		27910	6	8
Your Grant from the Assembly	300	0	0				
Due to Ballance					812	8	4

Errors Excepted

I have taken no notice in this acc° of the Costs the Purchasers have put you too but that will be alowed when the Account Comes to be finished Our Assembly will Sit in May next when Care will be taken for the finishing the Account and Giving you a Discharge

I must Repeat my hearty thanks for the Great Care and pains you have taken in this affair and the many other Instances of your Respect for this Colony and if you can help to ward off the mischief intended against us by M^r^ Mason it will be another Great Obligation upon Us. Nor may I forget the esteem you are pleased to Express for myself. May I be more worthy of it and better able to serve my Country as Long as God Shall please to Give me an Opportunity for it. I am with Great Respect

Your Most Obedient
Very Humble Serv^t^
R WOLCOTT

To Doct^r^ Benjamin Averie

ROGER WOLCOTT TO RICHARD PARTRIDGE.

Windsor Feb: 7^th^ 1753

S^r^

I wrote to You on the 20^th^ of Dec^r^ last, which I hope will come Safe to Your hands. Since that I have Recev^d^ a Letter from M^r^ Anthony Wells acquainting me that 'tis like Mason will soon have an hearing on his Petition for Money before M^r^ Solicitor Sharp in which I doubt not You will do Your utmost to defeat his Design

I hear Masons Friends have sent home some Testimonys that there are Several Hundreds of the Mohegan Indians now Living

He that hath not the Truth on his Side is always forced to have Recourse to colusion and this has been the Practise of M^r^ Mason from the beginning

What the Number of these Indians were will appear in the Book from the Commissioners by the Testimony of the Sachem Ben Uncase and others and they are Much Fewer now having had a Mortal Sickness among them

You will find in that Book that upon the Installment of Majr Ben Uncase in the Sachemship the Succession was Setled in his Son Ben Uncase and Successively on his other Sons. Ben Uncase that appeared before the Commissioners was the Eldest Son of Majr Ben and he is dead since the Commissioners Court leaving a Brother to Succeed him. the present Ben is Son to the last Sachem and Now pretends to be the Sachem but has never been Acknowledged by the Government being Contrary to the former Settlement. This Ben is become a tool of Masons

To prevent any Mischief that this Testimony might work and to Encounter it I have herewith sent You The Testimony of Capt Allin and Liffingwell of the Number of Mohegan Indians to be about 45

The Testimony of Sharret and Castle of the number of the English Familys Setled on the Land Called in Governour Dudleys Judgment the Sequestred Lands 104

The Testimony of Gardener and Tayler that the English Familys Setled in Colchester are 412

The Testimony of Chapman and Whittlesey the English Familys Setled on the north part of Lyme alowed by Governour Dudly for the Indians Hunting Land are 68

And all these Familys Mason is Endeavouring to Oust to Make Room for 45 Indian Men and Boys who have already Secured to them More than 5000 acres of Good Land

But having often wrote to You before on this Subject I must here Leave it with You and Your Counsil hopeing that Right will be done Notwithstanding all Masons Endeavours Against it

The Money in Doctr Averys hands being near Exhausted I have Drawn upon You for About Two thousand pounds the bills will come to Your hands and I trust will be Duly Honoured

Give My thanks to Mr Wells for his Prints and be Assured that I am

Your Most Obliged
Very Humble Servt
R WOLCOTT

To Richard Partridge Esqr

[Indorsed] To Richard Partridge Esqr Feb 7 1753

GEORGE CLINTON TO ROGER WOLCOTT.

Sr

Haveing had a Memorial presented to me by Don Joseph Micael de St Juan, (Super Cargo and Director of the Spanish Snow St Joseph and Sta Helena and her Cargo, now in your Honour's Government,) wherein he sets forth the Misfortune of the Snows springing a Leak at Sea, and being brought into the River of New London by a Brigantine, John Simson Master, but that his Snow struck upon the Rocks there, which rendered her entirely unfit for the Seas; Upon which, at a Court of Vice-Admiralty he was decreed for Salvage the Sum of Twenty three Thousand pieces of Eight, besides Costs of Suit, which Sum the Memorialist thinks very large; and says, that he had (before Sentence) assurance given him of the Benefit of an Apeal, in behalf of himself and the Owners of the Cargo, but, being an entire Stranger in the Country, could not get in your Honours Government Security for so large a Sum to prosecute the Appeal which obliged him to go to Boston to some Merchants, who engaged to stand his Friend in so great an Exigence; on which he sent a Petition to this Judge signifying, that he was ready to give sufficient Security, But that the Judge being returned into this Province, he proceeded hither in order to present his Petition himself; And at his Arrival here beseeches all the favour and Protection from me that are due by the Law of Nations to His Sovereign the King of Spain, and to his Subjects within the Dominions of His Majesty the King of Great Brittain, for that he was sensible, that the Affair does not lay under my Jurisdiction.

On my sending for the Judge of the Admiralty and shewing him the above Petition, he positively avers, that he never in publick or private promised him an Appeal, and that it would have been an Absurdity in him to have done it, before he had given Sentence, and that he told the Memorialist (by the sworn Interpreter) in open Court, that by the Laws of England, he should enter his Appearance else he could not be entiteled to object to the Sentence, if he disliked it, and advised him to get a Lawyer to act for him, and that when he decreed the Salvage the Memorialist (be-

ing told what his Judgement was) said he protested against the Sentence, but never desired his Protest to be entered but went out of Court in a Passion, and that he had not applied to a Notary Publick for an Apeal, as is Customary in the Civil Law, if it is refused on application in due time.

Upon the whole, I make not the Least doubt, but the common Duty of Charity must effect your Honour equally as it does me to commiserate the poor Man's deplorable misfortune (after so providential an Escape at Sea, to have all his Effects detained from him) and to render him all the Assistance, your Authority can procure him, as supposeing the Case to be our own in the Dominions of His Catholick Majesty.

As the Affair is entirely out of my Government, it is impossible for me to be of Service to him, more than desireing your Honour's utmost Endeavours to extricate him out of his Difficulties, and to afford your Countenance and Protection to Messrs Henry Lane and Henry Cuyler Merchants of this Place, who are arrived in your Government, to transact his Affairs, and, if possible to make the Matter easy, in order to prevent any Complaint home, which I fear will be the consequence as the Property of register'd Goods must certainly belong to the King of Spain, and should the Spaniard make reprisals, I dread the result to all Vessells belonging to this Continent I am

Your Honours

most Obedient humble Servt

G CLINTON

Fort George 17th February 1753

The Honble Governour Woollcot

ROGUE AND ANTONIO AGUADO TO ANDREW McKENZIE.

Mr Andrew McKenzie

Sr

By a Letter Wrote In Boston of the 28 Decr by Mr Peter Cherdon by the hands of our Friends Messrs Robt Main & Co of this City we find that our Vessel the St Joseph

& Helena Capt Xphal De Urrunaga and Don Joseph Migl De St Juan is arrived at New London which was comeing from Hundoras Loaded with Silver Indigo &c wch sailed from the Havanah the 14h Oct: for this Harbour and beeing in Distress he made Shift to reach the harbr of New London In Entring of which he Cut away his Main Mast. by which means and the good help of Other Vessels and the Assistance of God and you She was brot to the Wharfe and there Secured

It apears by the Advice of Said Cherdon that the Capt and Don Joseph Migl De St Juan took advice of you for what they Stood in need off In your Place and Accordingly said Vessel was to be fitted & to be graved so as to be Able to Perform the Voyage If it Could for all which we are very greatfull to you and desire you to use your utmost Expedition In the Present Case with the said Capt and Super Cargo untill they are Compleatly Dispatcht from your harbour with all Brevity and without Delay which we shall be Very glad off and hope It will be no Damage to the Vessel nor Injustice to any in so Doing But if the Vessel is not In a Condition to proceed this Voyage and Cannot be repaired at a Small Cost so that it will be Cheaper to Buy or Freight another Vessel Lett It be Done and not Delayed We Begg the Continueance of your favours and give all the Dispatch In your Power If we Can Serve you here we shall be glad of your Commands In the mean time we Pray God to give you Long life

your most Obt Humble Servt

ROGUE & ANTO AGUADO

Cadiz 17 feby 1753

The Above is a True Translation of a Spanish Letter Wrote by Messrs Rogue & Anto Aguado Dated Cadiz the 17th of Februy 1753 to Mr Andrew McKenzie Merchant In New London

J. Monis

Suffolk ss Boston June 6th 1753

Mr Judah Monis personally Appearing made oath to the truth of the above declaration by him Subscribed

Before me Dan Henchman Just Pac

[Indorsed by Wolcott] To McKinzie from Cadiz feb 17 1753

THOMAS HILL TO COLONY OF CONNECTICUT.

WHITEHALL Febry ye 20th 1753.

Gentlemen,

By order of the Lords Commissioners for Trade and Plantations, I herewith inclose to you a printed Copy of a memorial & other Papers thereunto annex'd, deliver'd to his Grace the Duke of Newcastle by Monsr Michell, the Prussian Secretary, on the 23d of November & 13th of December last, together with a Letter from his Grace the Duke of Newcastle, by His Majesty's order, to Monsr Michell, in answer to the said Memorial and other Papers. I am,

Gentlemen,

Your most Obedient
humble Servant,
THOS HILL

Governor & Company of Connecticut
[Indorsed] from Board of Trade feb 20 1753

RICHARD PARTRIDGE TO ROGER WOLCOTT.

LONDON 2d mo: or Febry 20th 1753

Govr Wolcott

I have already writ thee ℔ this Conveyance via Bristol & Philada of 15th Inst. & now this comes to acquaint thee, that I have this day recd thine of the 20th Decr together with the several letters & papers inclosed which are Uncas's Original Deed of 1740 & some objections stated and answered ——in relation to the Cause dependiug with Mason which I think will be very good & useful Instructions for our Counsel against the Cause comes to a Hearing, but at present there seems to be no probability of it for that Masons Solicitor cannot yet obtain the Money of the Ministry here, the Lords of the Treasury having (as I heretofore hinted) deferr'd that matter to their Solicitor who is not yet ripe for making his Report.

In which Affair I intend to exert my best Endeavours for the Service of the Colony—I hardly think the West India Merchts will give us any trouble this Sessions of Par-

liament, but they must be watched, & I intend to be careful thereabout—who am

Thy assured Friend
RD PARTRIDGE

a Boston ship sayling sooner than I expected I send this that way & not as I intend via Bristol

[Superscribed] To Roger Wolcott Esq Governor of the Colony of Connecticutt Windsor via Boston ℔ Capt Trout

[Indorsed] From The Agent feb 20 1753

RICHARD PARTRIDGE TO ELIZABETH NEWBERRY.

London 2d mo febry 22d 1753

My Frd Elizª Newberry

I have duly recd thy favour of Decr 27th with the Certificate, up to that time, and yesterday I recd 2 Payments to the 24th Augst last—the War Office paying no further yet—& one payment I recd before that, to 25th Decr. 1751—but in abt 2 months more, they will make another payment to 25th Decr 1752—all which shall credit thy Accot with—& according to thy Order I have paid Thos Lane £8 10 for thy Brother Alexr Wolcott, & send the rect here inclosed—the Ball. of thy Accot I intend to Ship in Goods according to thy Order, ℔ the Sea Horse Capt Starr who was arrived at Dover & then intend to send thy accot Current; interim I remain

Thy real Friend
RICHD PARTRIDGE

JOSEPH HULL TO ROGER WOLCOTT.

New London Feby the 26th 1753

Honorable Sr

I embrace this oppertunity, to advise Your Honour; that upon Application made, by Capt Durfey, for Salvage, in the Case of the Spanish Snow; In pursuance of the Statute, of 12th Anne; I appointed, three Neighbouring Justices, to adjust the quantum, for his Service.

And they being conven'd for that purpose; the Attorney for the Spanish Merchant, namely Messrs Cuyler & Lane, protested against any proceedings, by force of sd Statute; as Your Honr may observe, by the Inclosed Protest. Thereupon, the Court of Justices, adjourned to the 5th March; not doubting their Authority, but to give the Spanish Merchant oppertunity, to appear in Person; before which time, it's expected, he'l return from N York.

Inclosed, you have also Capt Durfeys Petition & the Decree of Admiralty; for your Honrs perusal; by all which, youl observe, how matters have been conducted hitherto.

Colo Saltonstall advises me, he hath Engaged a Snow of Mr Stewarts, for the Spanish Service; now ready for the Seas; and when the Charges for Salvage &c are adjusted; I shall order the Cargo of the Spanish Snow, to be deliver'd, the Agent appointed, by Your Honr, that he may Ship them pursuant to your direction.

And since the appointment of Justices as aforesd is conformable to Your Honrs advise; doubt not, Shall have your Approbation thereof

JOS. HULL

To The Honble Roger Wolcott Esqr

P. S. The Inclos'd papers, Your Honr will please to return by the bearer.

[Superscribed] To The Honble Roger Wolcott Esqr Governor

[Indorsed] From Mr Hull feb 26 1753

GURDON SALTONSTALL TO ROGER WOLCOTT.

New London Feby 26th 1753

Honourable Sr

Your favour of 25th Jany is before me, when it came to hand, the Spanish Merchant, was gone to New York, therefore have not had oppertunity, to communicate what related to him in your letter.

I don't apprehend, there will be much dificulty in geting the charges, of your Honrs enquiry, into the Sp. Affair

paid; & you may be assured, ill' take especial care of that mater.

This express, is to advise Your Hon^{r}, that the Spanish Merchant, frequently, since his return from Boston, applyed to me for advice, when under dificulty; And when he went to N York, (from whence he is not returned) I furnish't him with Letters, to Council, that he apply'd to; & also with Horses for his Journy; he then said he esteem'd me as his Father, and assured me, he would leave a Power with his 2^{d} Captain, to apply for my Assistance, when the Indigo &^{c} should be put on Sale, (if he did not return in season himself) pursuant to the Decree of Admiralty.

S^{r} Mess^{rs} Cuyler & Lane Merch^{ts} of New York appear as Agent & Attorny for the Spanish Merchant; their Power is of an extraordinary Nature (in my Esteem) they are not only Enabled to demand & receive all the Spanish Effects, but also, to sell all or any part at discretion; as also are particularly Impowerd to Sue the Colector & my Self— these Gent^{n} applyed to me for money to buy the Indigo, put, on Sale last monday, for the use of the Spanish Merch^{t}; and on Shewing their power, I told them it was of so extraordinary a Nature, that If I should Acknowledge it, as Agent Apointed by your Hon^{r}, it might be construed as a Consent for Foreigners, to Trade in the Colony. And therefore I pay'd not the least Regard to it. However, as I knew the Spanish 2^{d} Cap^{t} had a Power from the Sp. Merchant, for the purpose before mentioned; that there might be no clamor, I with the advice, & Order, of the Colector, deliver the Spanish 2^{d} Cap^{t} by Virtue of his Power From the Spanish Merc^{t}, Fourteen Chests of mony, & took his receipt therefor.

I understand Mess^{rs} Cuyler & Lane, intend this day to sett out for Windsor, to apply to your Hon^{r} for Authority to buy, or Charter a Vessell, for the Spaniards &^{c} — and that they have a Vessell, coming from N York, for that purpose, of about 120 Tons.

Pursuant to your Hon^{rs} apointment, & Orders, I have engaged a New Snow of M^{r} Stewarts, burthen about 150

Tons; compleatly fitted for the Seas, & in every respect an excelent Vessell; and one that the Spanish Officers, seem well to approve off—and should She not be improved in the Service, it will be a considerable damage to Mr Stewart.

Wee have been sometime since expecting an Attack from Boston; but I believe the Gentn there, are now sensible, they had better tarry at home.

And I cant help saying, the Gentn from N York, would have been wise, had they tarried at home.

Can they imagine they have any right, to come hither, & prescribe Rules to your Honour, how a Vessell ought to be Provided for the Spanish Service; & not only so, but to bring a Vessell from another Colony, for that purpose. Have wee, no suitable Vessell for the purpose; and is no body suficient here, to do the business.

The Gentlemn say, they are come to see that the Spaniards have Justice done them — was there never an Act of Justice done in this Colony, that made their presence absolutely necessary.

It would have been full as honest, & as Genteel, had they said, they came to gett what money they could, honestly.

I cant help fearing, theres eminent danger of the Spaniards sufering much at New York, if they go thither; as I am well informed, a Gentlemn there, has a demand on the King of Spain, for upwards of 50 thousand Dolers.

And, were I under no prospect, of any advantage, in this Affair; should dread to hear, that any Gentn from a Neighbourg Colony, should have Skill enough, to take a Just profitt, out of the hands of the Subjects of this Colony, against their Will.

This reminds me of the Notable Efforts made by New York Gentn (in the case of the French Prise, brought in by the Sloop Defence) in which they failed; & doubt not, these Gentn, will have the same Fortune in the present Case.

I am with the utmost Esteem

Yr Honrs

Most Obedt Servt

G: SALTONSTALL

P. S. I this moment learn a Merch^{t} at NPort has bou^{t} a Vessell for a Spainard now at NPort, & that the Gov^{r} has orderd the Sheriff to Seize her, for being bou^{t} for a Foreigner.

To The Hon^{le} Roger Wolcott Esq^{r} Gov^{r}

[Superscribed] To the Hon^{ble} Roger Wolcott Esq^{r} Gov^{r} of Conecticutt att Windsor

[Indorsed] From Col^{l} Saltonstall feb 26 1753

RICHARD PARTRIDGE TO CLAUDE AMYAND.

an acco^{t} given by R P to Claude Amyand Esq^{r} head Sec^{ry} to Lord Holderness in the Spring 1753

A Spanish Ship happend to be to y^{e} Southw^{d} of Barmudas some time in Novem^{r} last 1752 in distress & meet^{g} at Sea wth Cap^{t} Simpson in a Brigantine belonging to New London in Connec^{t} desired them as they were bound in to that port to keep him Company till they got near to New London & then to send off a Pilot w^{ch} was agreed to by both y^{e} Ships Commanders & accordingly Cap^{t} Simpson when he got into Port did send off a Boat wth a Pilot to the Spaniards. But y^{e} Spaniards being headstrong, y^{t} before the boat came up to them they made towards y^{e} Land of themselves, & run their Ship upon a Ledge of Rocks where they rec^{d} damage by the loss of their keel & Rudder, whereupon a Scooner was sent out to their Assistance & bro^{t} some part of their Treasure on shoar, after which the Ship got off again & came into y^{e} Harbour & del^{d} the rest of her Cargo safe on shoar at New London to y^{e} care or custody of the Collector w^{ch} consisted of 40 Chests of Silver 2 chests of Gold and a considerable quantity of Cocheneal and Indigo to y^{e} amount of y^{e} value of the Silver & gold as it was computed.

For the Salvage whereof one third part of the whole value of the Cargo was demanded But——Morris Esq^{r} the Judge of the Vice Admiralty who lived at New York was sent for, and on his coming to New London held a Court, whereat Information was exhibited & proceedings had in

due form; upon which the Judge decreed only 23000 dollars for Salvage, with which y^e^ Spanish Captain was contented, & after this the s^d^ Span: Captain was about hiring a Ship at New London to take in what was remaining of the whole Cargo, on board her in order to proceed with it to Cadiz in Old Spain—but was not sailed y^e^ 14^th^ Jan^ry^, yet it was expected he would then in a little time

It was observed at New London that the Spanish Captain was cautious of producing any writings or papers, w^ch^ caused some to suspect his Integrity.

[Indorsed] a Relation concerning a Spanish Ship at New London in 9^ber^ 1752

ROGUE AND ANTONIO AGUADO TO ANDREW McKENZIE.

M^r^ Andrew M^c^Kenzie

*S^r^*

By Cap^t^ Andrew Duer who arrived the 26 February In our harbour we re^d^ two Letters of yours Dated the 2^d^ and 4^t^ of January in which you gave us Notice of the Misfortune that befell to our Vessel the S^t^ Joseph & Helena and all the Cargo belonging thereunto and of the Mast: & Don Joseph Mig^l^ De S^t^ Juan which is a very great Trouble to us besides the Needles and unjust Charges Proceeding from the Detention of Said Cargo in your harbour unjustly when we Expected between two Nations that are at Peace One with the Other that we Should find Don Joseph Mig^l^ De S^t^ Juan Protected and those that ware with him as was Necessary to be done as It hapens every Day among us Since Our Vessel was going to Look for a harbour In her Distress to be repaired But he has not met with that Treatment that might be Expected

We thank you greatly for your good offices and Diligence you have used for the Benefit of our Interest and we begg of you without Puting us to Further Needless Charge to Fecelitate with the greatest Expedition you Possible can that the Cargo may come to Our hands by Freighting a Vessel for this Effect upon the Aforesaid we have Wrote to Don Joseph Mig^l^ De S^t^ Juan to whom we have given the

Necessary Orders on this Occasion, and We begg your Assistance to him that he may come home with the Cargo with all Expedition and to the End that he may not be Detained Longer than is Necessary for want of a Vessell to Bring the goods we have Ordred Capt Edwd Cahail who Carries this Letter with Others who is Bound to Boston to Bring the Cargo In Case you have not agreed with any Other Person allready since he is a Gentleman In Whom we have Confidence

It Is necessary that Don Joseph Migl De St Juan Brings a Testimony of the Sentance of the Judge of Admiralty with him of all the Charges that the Vessel and Lost Cargo may have Occasioned with the Averidge of the Effects and how the Vessel was unfitt to be Carrened and to follow the Voyage so that at his Arrival here we may meet with no Dificulty with those that are Interested with us. Because they are Determined to have recourse to the Admiralty of London for the Injustice Done them at New London in this Affair and if the Charges have not been Extravagant but Just they will not appeal

We Begg of you to Continue your good offices. and Dispatch with all Expedition Our Interest out of your harbour If we Can Serve you here We Should be glad you would command us In the mean time we Pray God you may Live a great many years

Your Obedt Humble Sert
ROGUE & ANTO AGUADO

Cadiz 3 March 1753

The Above Letter is a True Translation of a Spanish Letter Wrote by Messrs Rogue & Anto Aguado Dated at Cadiz the 3d of March 1753 To Mr Andrew McKenzie Merchant In New London

J. Monis

Suffolk ss Boston June 6th 1753

Mr Judah Monis Personally Appearing made Oath to the truth of the above declaration by him Subscribed.

Before me Dan Henchman Just Pac

[Indorsed by Wolcott] To McKinzie from Cadiz March 3 1753

JOSEPH MIGUEL DE ST. JUAN TO GEORGE CLINTON.

To His Excellency the Hon^able George Clinton Capt Generall and Gov^r in Chief in and over the province of New York and territories thereon depending in America Vice Admirall of the same And Admirall of the White squadron of His Majesties fleet &c

The petition of Joseph Mig^ll d St Juan supercargo and Director of the snow St Joseph and St Helena and her Cargo now at New London

Humbly sheweth

That the said snow St Joseph and St Helena is renderd Intirely unfitt for the seas and your petitioner is thereby Laid under a Neccessity of obtaining a vessell in order to carry his Cargo to old Spain That your petitioner is put to great Costs and Charges by being detained for want of such a vessell for that use

your petitioner therefore Most Humbly prayes your Excellency to Grant Leave to your petitioner Charter a vessell belonging to your Government either by himself or Mesrs Henery Lane and Henry Cuyler Merchants his Agents or either of them as may be Agreeable to your petitioner for the purpose above mentioned and your petitioner shall ever pray &c

JOS MIG^LL DE ST JUAN

New York 21 March 1753

Fort George in the City of New York 21^st of March 1753

I Grant the prayer of the Within Petition

G CLINTON

[Indorsed] The Merch^ts petition to Gov^r Clinton

RICHARD PARTRIDGE TO ROGER WOLCOTT.

London 3 mo March 26^th 1753

Gov^r Wolcott

My last to thee was of the 20^th Ult since which I have rec^d thy 2 letters dated 22^d January last advising of thy Drafts on me of £160 & £40 Sterl^g which shall meet with due honour having already accepted them.

As to the Affair of Mason I dont find upon a late enquiry but it remains just as it did for some time past he not being able to get the Money yet from the Treasury in Order to prosecute his Suit which I intend shall be duly watched—& Nothing at all is yet begun here in relation to the Affair with the Massachusetts & now their Agent hath been very ill of late & kept his Bed

The Parliament continue their Sessions & I suppose will hold the same near 2 months longer there has been an Affair, relating to Jamaica Which was open'd by a Gentleman of that Island a Member of the House of Comons who in the course of his relation concerning the Comerce of the Plantations, took occasion to tax the Northern Colonies very severely on Acco[t] of their illicit Trade, but was as smartly answer'd & replied to in the House by one of the Lords of Trade who seem'd greatly to take part with & Speak in favour of those Colonies—there has been since that a Petition has been presented to the House from several Dealers in Sugar in and about London which being printed in the Votes I send it thee hereinclosed & its very likely the Comons will do something upon it this Sessions.

And now as its likely, thou mayst have occasion to draw on me for more of the Colonies Money I have presumed to send thee two Bills of Exch[e] together amounting to Five Hundred Pounds Sterl[g] on And[r] Oliver Esq at Boston in whose hands I have lodged a pretty deal of Money, & I hope the Colony will be so kind as to gratifie me therein which I shall esteem a particular Favour, who am with due Respects to thy Self, the Gentlemen of the Council & House of Representatives

Thy & their assured Friend
RICH[D] PARTRIDGE

Gov[r] WOLCOTT

LONDON 3[d] mo: March 26: 1753

Exch[e] ℔ £300 Sterl[g]

At Thirty Days Sight of this my first ℔ Exch[e], pay to Roger Wolcott Esq. or Order, Three hundred Pounds

Sterlg together with the Advance thereon in Connecticutt Currency, or Lawful Money of the Massachusetts Bay at the Option of the said Roger Wolcott Esq:, according as the Rate of Exchange shall be when this Bill becomes due & payable & put it to account as ℔ Advice from

RichD Partridge

To Andrew Oliver Esq
Mercht in Boston N. E.

London 3d mo: Mar: 26th 1753

Exche ℔ £200 Sterlg

At Forty days Sight of this my first ℔ Exchange, pay to Roger Wolcott Esqr, or Order Two hundred Pounds Sterlg together with the Advance thereon in Connecticutt Currency or Lawfull Money of the Massachusetts Bay at the Option of the said Roger Wolcott Esqr according as the Rate of Exchange shall be when this Bill becomes due & payable & put it to account as ℔ Advice from

RichD Partridge

To Andrew Oliver Esqr
Mercht in Boston N: E.

[Indorsed] From the Agent March 26 1753 with 2 bills of Exchange on Andw Oliver Recd July 4th 1753

GURDON SALTONSTALL TO ROGER WOLCOTT.

New London March 30th 1753

Honle Sir

Your Honours favour by Mr Temple, I duly receiv'd— And am now to advise You that the Spanish Merchant returnd from N York the 27th Inst & hath Messrs Ceyler & Lane his Company he seems now averse to takeing Mr Stewarts Snow, & talks of geting a Ship at N Haven; Mr Stewarts Snow has waited Months, for this buisness, & it will doubtless be a considerable damage, if the Spaniards don't improve her. The Sp. Merchant in a conference with him yesterday, Intimated, that he supos'd he could employ

whom he pleas'd, to do his buisness. And that his Friends in Answer to Letters sent them at the Havana, since his Arrival here, recomend Messrs Ceyler & Lane to do his buisness; In order to excuse himself, for his unpoliteness to me, for when he went to N York, I furnisht him with Horses, & Letters to Council &c—& he then told me, he esteemd me as his Father; & that if he did not return seasonable for the Vendue, he should leave Orders with his Officers to apply to me, for Assistance to buy his Indigo, rather than have it go out of his hands—& the next tidings from him was, the Power of Attorny to Messrs Ceyler & Lane, to demd all the Goods, & on refusal of delivery, to Sue Mr Hull & my Self (only) by name—& for them to make Sale of what part of his Cargo they tho't fit. Which treatmt I resented; As to Merchants at Havana being concern'd in these Effects, Your Honr well knows, there was not the least lisp of that, on Examination; but the Accot was, they were owned at Cadiz; and if the Sp. Mercht wrote to Havana for Orders, he must then design to wait for an Answer from thence; which I never heard any Mention off; I told him, when I saw those letters, should believe it, & not before. On Messrs Ceyler & Lanes first Arrival, they apply'd to me for mony by Virtue of the Power aforesd to buy the Indigo, then to be sold at Vendue, I refus'd suplying them; but suply'd the Spanish 2d Capt with 14 Chests mony for that purpose, by Virtue of a Power he had from the Mercht—that they might not loss the opertunity of purchasg—& to avoid any Clamor on that head—& how far Messrs Ceyler & Lanes buying it for them, is consistent with Act of Parliament, submitt to Your Honour.

I have had Intimation that You have been informd I suppos'd myself as Agent, to have Authority, to ship the Spanish Effects, when & how I pleas'd, even against their Consent; but don't apprehend Your Honr could Imagine, I was so Ignorant of my Power of Agency, as to improve it in that manner; & I assure You it never enterd into my heart to conceive such a Power was vested in me. Nor from what quarter Your Honr had that Intimation unless from Mr

Ceyler. When Messrs Ceyler & Lane apply'd to me for delivery of the Goods in my Custody, by Virtue of their Power aforesd; I refus'd them; they ask't, whether I would refuse to deliver them on Your Honrs order; I readily told them, I had endeavour'd always to obey the Orders recd from Yr Honr & should still continue to Obey all Orders You should give in the premises. Att the same time hinted to them, it was very unlikely they would get Orders, to Ship them on board their Snow. And they reply'd, that if they could not get orders therefor; perhaps the Spanh Mercht would leave the Goods. I told them he might do as he tho't fitt; and that it was possible, Your Honr in that Case, would Order them Ship't to the Right Owners, whether he would go with them or not—And that I thought Mr Stewarts Snow ought to be prefer'd to theirs, he being allow'd a reasonable Reward, (which was not dificult to find out) although they might consent their's should go at half price—well knowing, yt should they offer their Snow at half price, they must have some private contract, that would be a full equivalent for the other half; otherwise they could not be consider'd as Acting reasonably—& this was said on their supposition that Mr Stewart might ask, as much again for his Snow, as the Spaniards might have any other for.

I yesterday told the Spanish Mercht if he was resolved not to have Mr Stewarts Snow; if there was any other Vessell in the Colony, I would procure her for them; if they approved thereof—and he intimated that Ceyler & Lane would gett the Ship at N Haven; I then told him, that after he had tarry'd a month or two longer, believ'd he would be convinced, they could not do his buisness—And so far as I could discover, the Sp Merchant, seem'd not distres'd at the tho't of tarysg longer.

I send by the bearer Capt Galloway, One hundred & Seven dolers, & an half, which is the amount of Your Honrs Costs in the Sp. Enquiry, as ℔ Accot Inclos'd. I mention'd to the Merchant makg alowce for your makg out Orders to the Agent, & he readily said if it were in the Accot, or if I could add any Sum thereto for sd Service, he would pay it—

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but I could not make any adition to the Acco^{t} & thus that mater ended. I am with the utmost Esteem.

Y^{r} Hon^{rs}

Most Obed^{t} Serv^{t}

G: SALTONSTALL

P. S. The Merch^{t} paid the above mony Yesterday—after Mess^{rs} Ceyler & Lane had apply'd for the Papers your Hon^{r} Authenticated, & propos'd paym^{t}—but I refus'd to transact with them

To The Hon^{e} R Wolcott Esq^{r} Gov^{r}

[Superscribed] To The Hon^{ble} Roger Wolcott Esq^{r} Governor att Windsor ℔ fav^{r} Cap^{t} Galloway

[Indorsed] From Coll^{o} Saltonstall March 30 1753

ROGER WOLCOTT TO GURDON SALTONSTALL.

Windsor March 31 1753

S^{r}

I am Concerned that this afair of the Spaniards should meet with so much delay and one Dificulty Arise upon the back of another Which I fear is much owing to serveill advice Given to the Spanish Merchant

Will you please to give my service to him and I Inform him from me that my Compassion for strangers put into a forreigne Countrey in distress moved me to to take a Journey of fifty Miles in the Winter Which Cost me about 60^{ll} our Currency to do them Right and to Give them all proper Releif

That when I found their distress had brought them into the port of New London I apointed an Agent to provide for them dureing their stay and to Charter a vessell for their return when they Were ready With Which he Exprest him self Well satisfyed and Thankfull

That Considering their stay Must be Chargeable I prest the Agent to have a vessell ready Which I understand has been Done and I have Never heard any Complaint of the Insuficency or unfaithfullness of the Agent

That Now after all this is done to Nullify the former Agency and put in another is Not only Contrary to the practice of all the Gen^{m} Either in the King of Great Britains or His Catholick Majesties Dominions but would render all such Apointments useless for No Agent Would undertake it upon such Terms

That haveing thus done Every thing in my power to pave the way for his safe return I trust I have setled his Confidence upon me as his friend and as such presume to Advise him to be lawfull to Avoid Every false step which may Expose him to a seizure in which Case I Can be no further serviceable to him I am

your very Humble serv^{t}

R WOLCOTT

To Gurdon^{s} Saltonstall Esq^{r}

[Indorsed] To Coll^{o} Saltonstall March 31 1753

JOSEPH MIGUEL DE ST JUAN TO ROGER WOLCOTT.

To the Hon^{ble} Roger Wolcott Esq^{r} Governor of the Colony of Connecticut in New England in America.

Joseph Miguel de S^{t} Juan Super Cargo, and Director of the Spanish Snow Called the S^{t} Joseph and S^{t} Helena, and her Cargo, lately Brought into the Port of New London in the Colony aforesaid, in Distress—Humbly Prays That, Whereas by Enquiery lately made by your Honour, with the Assistance of Several of your Council, relating to said Snow, and the Reasons of her being brought into the Port of New London aforesaid, It appeared to, and was Determined by Your Hon^{r} that the said Snow was brought into the Port aforesaid in Distress, and her Cargo Landed by Necessity; Whereupon it was further Resolved by your Hon^{r} that the officers of said Snow have a Permission to one or more of the British Subjects to refit said Snow, or in Case She be not fit to be repaired, to Charter a proper Vessel to Carry the Company, and Effects to the Port design'd, and provide them all Necessarys &c. and that all Legal Demands

being Answered, they should receive the Residue of the Cargo to proceed their Voiage.

Your Honour therefore would be pleas'd to Allow and permit Henry Cyler Jun^{r} and Henry Lane of the City and Province of New York, Merchants, (whome I have Appointed my Agents or Attorneys) to Charter me some proper Vessel in your Hon^{rs} Governm^{t} for the Purposes aforesaid, the said Snow being unfit to be Repaired, and furnish me with such things as may be necessary for my Voiage, and to receive, and Ship the said Cargo for me (whenever we shall be ready therefor) and that your Hon^{r} would give all Necessary Orders for that Purpose: And Your Petitioner as in Duty Bound shall ever pray.

JPH MIG^{L} DE S^{T} JUAN

Dated this 31st day of March Anno Domini 1753.

GURDON SALTONSTALL TO ROGER WOLCOTT.

New London April 7 1753

Hon^{d} S^{r}

The Spanish Affairs remain in Statu Quo. I cant help fearing the Consequence of the Spaniards having a Writt of Replevin, to take out of M^{r} Hulls custody, all the Effects lodged in his hands; on giving Bonds, to refund the damages, in Case &^{a}. As the Statute of 12 Anne, expresly says, "the Ship Vessell or Goods saved, shall remain in the Custody off the officer of the Customs, untill all charges shall be paid, & untill the Oficer of the Customs, & all others shall be reasonably gratifyed for their Assistance & trouble, or good security given for that purpose to the satisfaction of the several parties that are to receive the same." If the goods must be taken out of the Collectors hands, before satisfaction is made as afores^{d}, off what force is the Statute. And if M^{r} Hull should suffer thereby will he not, take all lawful methods, to save himself. & if so, is there no hazard of complaints being made, that the Goods were taken out of his hands. Yesterday His Honour the Deputy Gov^{r} dined with me; I delivered my Sentiments to him; & he

advis'd me to write Your Honr on this Subject, which I hope will apologize for the trouble now given you by yr Hons

Most Obedt Servt

G SALTONSTALL

To Roger Wolcott Esqr Govr

RICHARD PARTRIDGE TO ROGER WOLCOTT.

4th mo: or April 10th 1753

The foregoing is Copy of my last to thee of the 26th Ult. to which I refer this now acknowledges the rect of thine dated 7th Febry together with the papers there inclosed & now I think we are Sufficiently instructed in the Affair depending with Mason whenever any hearings Shall be come into, but at present that matter remains as it did when I wrote last he not being able to get any money from the Treasury yet, I believe he is very poor in distress hearing by some ℔sons that have seen him lately that he is in a Shabby condition.

I note thou hast drawn on me lately Bills for £2000: Sterlg on the Colonies Accot which shall meet with due honour some of them having been with me already which I have accepted & here inclosed I send thee Second Bills of £300 & 206£ Sterl. on Andr Oliver Esqr & also my Bill of £100: Sterl. on Jos: Whipple Esqr D: Govr of Rhode Island & also 2 others on Gideon Wanton Esqr of Rhd Island one of them for £100 & the other £150 Sterl. these latter are payable in Gold or Silver which I hope will be complied with accordingly & will be a ℔ticular Service to me in getting my money home as I have it due to me there.

The Sugar Traders here in London have lately presented a petition to the House of Comons setting forth the disadvantages they are under on Accot of the high Prices of Sugar here praying releif from Parliament therein which comes to be considered by the House the 13th Inst. when its talk'd they will continue the Mollasses & Sugar Act (which expires at the End of this Sessions of Parliament) for about 2 Years longer & passes an Act to prevent them erecting

any more Sugar Refining Houses in North America, but as I apprehend there will Scarce be time enough this Sessions for the Parliament to go thrô with it especially as I intend to oppose it by Counsel in behalf of the Governmts which I represent; we may probably give it a turn, but it will unavoidably be attended with considerable Expence—if this Conveyance stays long enough probably I may write thee more on this Subject concerning what passes in the House Comons where I shall attend——interim I remain as before

RICHD PARTRIDGE

[Superscribed] To Roger Wolcott Esqr Governour of the Colony of Connecticutt Windsor ℔ Capt Pope

[Indorsed] from the Agent March 26 1753

RICHARD PARTRIDGE TO ROGER WOLCOTT.

London 4th mo: or April 14th 1753

Govr Wolcott

I wrote thee a letter of 10th Inst. which I shall send ℔ Capt Pope via Rhode Island wherein I advised of the receipt of thine of the 7th Febry last with the papers there inclosed & that we are now Sufficiently instructed in the Affair depending with Mason—which Affair Stands yet as it did when I wrote thee before as he has not been able to get any Money from the Treasury hitherto—he seems to be very poor & Shabby.

I note thy several draughts on me which shall meet with due honour & I shall by Capt Pope send thee 2 more Bills to receive for my acct in ps of 8/8 & gold.

I have in my above said Letter given thee some accot of the Application of the Sugar Traders here to Parliament, & now I may acquaint thee that yesterday in the House Commons, their Complaint on their Petition came on to be heard being prosecuted by a certain Eminent Sugar Baker with his Attorney at the Bar of the House who after they had expatiated & set forth the nature of their grievance thrô the Scarcity & great prices of Sugars of late (Muscovadoes being from about 42/ to 46/ ℔C.) they called & examined

diverse Witnesses to prove their Allegations & after they had spent 3 or 4 hours upon it the House seem'd to be tired & adjourned that matter over to the 17th Inst. to be then further considered—There was yet only one Witness examined as to the Sugar Refining business who was Capt Pope of Rhode Island (because he was soon about going away) to give acco[t] of what he knew concerning the Sugar houses there, & Whether the Sugars they [ ]kd up were foreign or such as came from our own Sugar Islands, who acknowledged there were 2 Sugar houses in that Colony but gave little intelligence as to the Sugars they used whether they were foreign or English.

It is now talkd again as if the old Sugar & Mollasses Act will intirely drop this Sessions of Parliament, & a new duty in the room of it of a penny ℔ Gall. imposed on Mollasses but the certainty thereof cannot yet be known which matters I shall watch & duly consider what part is proper for me to take therein for the Interest of the Colony who am

Thy assured Friend
RICHD PARTRIDGE

18th Do yesterday I attend[d] at ye Ho of Comons when they proceeded again on the Sugar affair for about 4 hours, ye Petrs further expatiated in setting forth their Grievances and had the rest of their Witnesses examined & then adjournd that Affair over for a fortnight: what will be ye result we cannot yet be certain off—if they sh[d] gain their point in an Act for restraining in any respect our Sugr refining works in ye Northern Colonies it will be undoubtedly of pernicious consequence in abridging them of their privileges & by the Same Rule may hereafter encourage an attempt against Erecting Still Houses for distilling Mollasses &c. & therefore it will be absolutely necessary for the Agents to interpose by endeavouring to give a check to such an unreasonable proceeding wch I intend to be watchful about accordingly.

I am Thine above
R. PARTRIDGE

I send thee a packet ℔ this conveyance under cover to John Richards of New London to forwd

[Superscribed] To Roger Wolcott Esqr Governor of the Colony of Connecticutt Windsor ℔ Capt Starr

[Indorsed] from the Agent Aprill 14 and 18th 1753

BENJAMIN AVERY TO ROGER WOLCOTT.

Honoured & Worthy Sr

I have two of your Favours before me: One of the 20th of Decr last, the other of the 7th of Februry: I am glad to hear that you have observ'd no Errors in my Account; I hope it will be perfected without any considerable Mistake. I shall rejoice to have it finish'd & quite Settled: I have paid many Bills of yours since I wrote last: but by your Account there are a few of the Bills you have drawn on me which are not yet come to my Hands. When they do, they shall be paid: & the Balla then remaining, whether exactly 812. 8. 4, or a little more or less, your Agent Mr Rd Partridge shall have, as soon as I have your Orders to pay it over to him: & through his hands I suppose you will Send me a proper Discharge from the Colony. I take it for granted that for your own Sake, & the Colony's as well as for mine you will not overdraw me.

I have talk'd with Mr Partridge abt Mr Mason's affair; & should it come to an hearing, I will give him all the Assistance I am able. At present, the Waiting on the Lords of ye Council, in his Judgment as well as mine, can do ye Colony no Service. He will watch ye affair; & has promis'd to give me Notice, when he thinks I can be of any use to you or to him.

I herewith shall send you a Copy of a Letter wrote by Dr Ebenr Punderson to the Society for propagating ye Gospel &c; which has been put into my hands by a Person of greate Rank in this Countrey. you will See by perusing it, the Nature & Circumstances of a Complaint it contains of an Insult & Abuse offer'd to an Inhabitant of Ashford, who

is of the Episcopal Persuasion. I have Sent another Copy of it to y^e^ Rev^d^ M^r^ Prince of Boston, (having had Occasion to write to him about other Business) because I did not certainly know, whether Ashford lies in your Province or in the Masachusetts. But in which ever it is, I should be glad to receive an Account from you, S^r^, or M^r^ Prince, whether the Fact is truly represented; & whether the Laws of your, or their, Colony do warrant y^e^ inflicting such a corporal Punishment, or any Punishment on every one who absents from the Presbyterian or Congregational Place of Worship, belonging to the Town in which he dwells. If they do, they seem to be unreasonable, such as would be vehemently complain'd of here: If they do not, such an Instance of wanton Cruelty & illegal Persecution deserves to be Severely animadverted on. I want to be well instructed what Answer I am to make to my Episcopal Friends, when I am upbraided, as I have more than once already been, by Men of great Figure & Influence, with Such a Story as this; which appear'd to me quite incredible: & the only Reply I have been able as yet to make was, that I must have Time indulg'd me to inform my Self of the Truth of y^e^ Fact.

I have now had two Letters from Coll^o^ W^ms^ & shall send him an answer very soon.

May Health & Happiness, all necessary Direction, & Support, & the most desirable Success attend all your Endeavours to Serve your Countrey, both in their Civil & Religious Interests. I am with great Esteem & Regard Honoured Sir

your most faithfull
& obed^t^ humble Serv^t^
BENJ. AVERY

Guy's Hosp^l^ 14 Apr. 1753.

[ ] Hon^ble^ [ ]LCOTT Esq^r^

RICHARD PARTRIDGE TO ROGER WOLCOTT.

London: 4th mo: or Aprl 21st 1753

Govr Wolcott

I wrote thy daur Newberry lately ℔ Capt Starr via New London & sent her in a Trunk the Goods shee wrote for & something more amo: to £11 4 9 & expect in a few days to receive at the War Office an other payment.

As to my Bills now sent thee I beg thy Interest in getting them negociated not doubting but they will all meet with honour & be complied with which will be a good Service to me in getting my money returnd which is due to me in Boston & Rhode Island but as Silver & Gold may be difficult to be had I shoud esteem it a peculiar favour if thou coudst indulge the persons whom I have drawn upon with a little longer time than is expressed in my said Bills if they desire it—& which will greatly oblige

Thy real Friend

RD PARTRIDGE

[Superscribed] To Governr Wolcott ℔ Capt Backus
[Indorsed] from the Agent Aprill 21 1753

ROGER WOLCOTT TO JOSEPH HALL.

Windsor April 23d 1753

Sr

Mr Saml Fitch is with me & Informs that the Spanish Mercht has Answered the Judgmt given agt him in the Court of Vice Admiralty, And Tendered you to Answer yr Demands, & Ask'd you for Colo Saltonstalls Acco that it might be Satisfied as part of your Acco which you did not Comply with: That he has Demanded the Remainder of the Effects which you have denied, by which he is Delay'd and thereupon prays a Writ of Replevin for the Remainder of the Effects, & purposes if denied to Demand it before Witnesses & Apply further for a Remedy—the Consequence of which I dont Incline to Adventure.

You may remember I have always given you my opinion that the Effects were in yr Hands to be Accountable to

the Savors &c to Answer their Legal Demands the Remainder to the owners, & it is my Opinion that if you refuse to Deliver them accordingly a Writ of Replevin will Ly, but it will be most agreeable to me that you prevent my taking this Step.

In order to this, it is my Opinion that what Col^{o} Saltonstall has done in Storing & Securing the Effects he has done under you, & the Cost is properly a part of y^{r} Acc^{o}. I therefore Advise that you present it as such to the Merch^{t} or his Lawfull Attornys, & if he pay it well if not the Gentlemen of the Law I have Advised say you may keep it in your Hands.

To prevent Delay in the Affair of Cap^{t} Durfey I Advise that if the Merch^{t} & he can't agree that he forthwith Commence his Action to recover what is Due.

It is now a long Time Since the Snow Came into your port, Time enough to have settled these Affairs: the Statute that lodges the Goods in y^{r} Hands to Answer the Salvage &c Intends a reasonable Time & not forever it may therefore be Matter of Just Complaint if the Spaniards be longer Delay'd & give yourself & me much Trouble which In hopes you will prevent, I remain

Your very humble serv^{t}

R. WOLCOTT

To Joseph Hull Esq^{r}

[Indorsed by Wolcott] To Joseph Hull Esq^{r} Aprill 23 1753

GURDON SALTONSTALL TO ROGER WOLCOTT.

New London April 27 1753

Hon^{le} Sir

As I learn some Gentlemen, & their Friends, are frequently misrepresenting Facts to your Honor; & that I am jealous whether some unfair representation may not be Given Your Hon^{r}, respecting my not supplying Mess^{rs} Ceyler & Lane, with a Register for the late purchased Ships; take this opertunity to inform You, that on their aplying for a Register, I told them; As I was aprehensive, they were en-

deavouring to Negotiate an Affair contrary to Acts of Parliament, & Derogatory off the Honor, of this Colony; As I was a member thereof, should not be in any manner instrumental to their so doing & that they must apply to Your Hon^{r}, if they would have a new Register, under these Circumstances.

M^{r} Hull intimates, that you supose my Acco. is a part of his'n. But as an Agent, how that can be I don't understand, (unless as to the Storage) were I not Agent, & any one should take the Goods out of my Stores, then as a Merchant could render my Acco^{t}, but so long as the Guard is on pay, agreable to the Spaniards orders, I canot make out an Acco^{t} in full.

I have no design of rendering an un[ ] Acco^{t} for I shall always, chearfully subm[ ] Acompt to be adjusted by any Gent^{n} Merchants, in case the concern'd make any Objections against it.

Nor shall I, wittingly, take any Step to the dishonor of the Colony, or my Self I am

Y^{r} Hon^{rs} Most
Obed^{t} Serv^{t}
G: SALTONSTALL

To The Hon^{le} Roger Wolcott Esq. Gov^{r}

[Superscribed] To The Hon^{le} Roger Wolcott Esq^{r} Gov^{r} att Windsor

[Indorsed] from Col^{o} Saltonstall April 27 1753

JOSEPH HULL TO ROGER WOLCOTT.

New London April 27th 1753

Hon^{le} Sir

Your favour of 23^{d} Instant I have now before me & am not a little Surprised at the Contents, that Any person should have the Front, to say, I refused to Receive my Money is Astonishing; My Acc^{t} was exhibited to the Spaniards to which they made no Objection, and I ever stood Ready to Receive payments; & the money was Actualy counted out to me at Col^{o} Saltonstalls in presence of the Spanish 2^{d} Cap^{t},

who had a power from the Merch^{t} then at New York; Mess^{rs} Ceyler & Lane being also present; who undertook to form a Receipt for me to Sign for the payment, & they therein Express^{d} the Money to be Rec^{d} of the Spanish 2^{d} Cap^{t} & Ceyler & Lane I refused to Sign the Receipt with there Names therein, thereupon they Said unless I would express it in the Rece^{t} Rec^{d} of them, I should not have the money; the question was put the 2^{d} Cap^{t} whether he would pay the Money, and he Absolutely Refused I well knew your Hon^{r} in Council had resolv'd not to Appoint Ceyler and Lane Agents, for the Spaniards, & I had Never done any Buisness in this Affair with them; the 14 Chests Deliv^{d} heretofore, was on the 2^{d} Cap^{ts} Receipts and the s^{d} Ceyler & Lane was Refus^{d}; the same on their Reci^{ts}; I esteem it An insult to give me the trouble of Counting the Money, and then Refuseing to deliver it me, but when persons Say Your Hono^{r} has no Buisness in this Afair as did M^{r} Ceyler (when with us at Col^{o} Saltonstalls) its not to be wondered that they endeavor to afront other persons; I have Never ben Asked for Col^{o} Saltonstalls Acc^{t} as Yet nor Can I see how its possible his Acc^{t} can be made out, till his Charges Cease, there being a Constant watch kept by Order of the Spaniards. The Col^{o} says, if Another Agent is Appointed, he will render his Acco^{t}, but whilst he's Agent the Acco^{t} Can't possibly be Compleated, till his Service is ended; and to Render his Acco^{t} to Ceyler & Lane, As Agents, to the Spanish Merchant he shall not, so long as he Remains Agent by Your Honours Appointment, for it Seems the Instrument that Appoints them Attorneys also Apoints them Agents, & directs them to Sell any part off or the whole spanish Snow & Cargo And the Spanish Merchant hath put up Sundry Advertisements the 23^{d} Ins^{t} in the following words Viz^{t} If any person has Any Demands on the Subscriber or on the Snow S^{t} Joseph & S^{t} Hellena and her Cargo, lately put into this Port, they are Desired to Send in there Acc^{ts} by tomorrow evening to my Agents Mess^{rs} Henry Ceyler Juner & Henry Lane Signed D^{n} Juan &c How agreeable such advertisements are to your Hon^{r} I know not but I may venture to

Say, if An English Merc^{t} was in like Distress, at the Hav^{a}, & the Gov^{r} had Appointed him an Agent and the E: Merc^{t} had publickly Notifyed that Another person was his Agent; the Gov^{r} would have Soon Convinced him of his Error In a manner I need not Mention.

Your Hon^{r} Seems to Imagine I am the Cause of the Spaniards Delay, in not Delivering them there Effects but if you turn to the Directions given me y^{e} 18 Dec^{r} Last, you'l find the following words "I therefore hereby Order & Direct you to keep the s^{d} Goods, till they are shipt on board for there Voy^{a} to Spain, I have Appointed Col^{o} Saltonstall my Agent to Charter the Spaniards a Vessel &c" how it Could be Consistant with Above Orders for me to Deliver the Money and goods when no vessel is prepared to Receive them, According to Statute, nor were the persons who Applyed therefor your Agents, Is beyond me to Conceive, The Spanish Merc^{t} having Apply'd to your Hon^{r} for a Replevin, I find you are of Opinion a writt of Replevin will ly. Should a writt be Granted, it would (I beleive) be the first president in America if not in the Kings Dominion, that goods taken into Custody by the Collector of the Customs by force of Statute should be wrested from him by a Gov^{rs} Warrant; but your Honours Authority I shan't Now Dispute, be the Law as it will, nor shall I be Active in Any degree in Delivering the Goods to the Officer, only as in duty bound shall Carefully Note the Severall Steps that may be taken in the Premises, that I may be able to give the Lords Commissioners a true Acc^{t} of the Matter as Occasion may require; Moreover in Your Hon^{rs} leter of 30th of Dec^{r} Ult are these words "that the Goods or Monys cannot be Lawfully taken out of your Hands by a Warrant from me or Any other Man, As a friend I Advise you to be Steady & Safe, w^{ch} you will be as long as the Goods are in your Hands" And as I have Adheard to this last Advice, so I Intend to Continue Steady to my Duty, & when the Charges are paid, and A Vessell provided According to Act of Parlement whomsoever is Your Honours Agent to him I shall Deliver the Goods and Money to be ship't for Spain; I am at a loss to know whom

your Honour Intends by the Spanish merchants Lawfull Attorneys, as he has Several in this town, & others at York & Boston, (I suppose) nor shall I take pains to examine, as I am not Obliged to Deliver the Goods but According to the Acts of Trade. I am Clear in this one point, Namely that the Statute of 12 Anne, directs me to hold the Goods, till Salvage & all Charges, are paid, the Spanish Merchant, has Never Ofer'd to pay Capt Durfey, nor is it in my power to Compel sd Durfey; to bring his Action therefor, & as ther's a Judgmt of 3 Justices in his Favr am Obliged by sd Statute to hold the Goods, till yt as well as other Charges are Satisfied

Although its a long time since the Spaniards Arived, yet am Very unwilling to have there delay imputed to my Conduct, more Especially Since I have Adheard to Your Honours Direction, had Your Honour limited the time for the Negociation of there Affairs at their first Arival, & [ ] Occasion required, have Length'ned the time, as is Usual in Other of his Majestie's Goverments, I must be of Opinion the Spaniards would have been in Spain ere this Day with there Effects, Even Many thousand Dollers More then they will carry, when they shall go: and had the Spaniards Submitted to Authority, Your Honour as well as my Self would have been Eas'd of Much Trouble; And you well know Mr Stewarts Snow was Ready Some Months Ago, to take on bord the Spanish Effects had they Desired it I put up Notifications the 23d Inst that if Any Persons had Any further Demands, on the Spanish Snow or her Cargo, that they would Apply therefor but I Don't here of More than within Mentioned; so that if a Vessell is Lawfully provided the Goods that were in Court of Admiralty are ready to be Shipt, and the Residue will be, when the within Mentioned Demands are Satisfy'd.

I am your Honrs Most Humble Sert

JOS HULL

Custo House N. Londn 27th Aprl 1753.

[Superscribed] To The Honble Roger Wolcott Esqr Govr of his Majesty's Colony of Connecticut at Windsor

[Indorsed] From Mr Hull Aprill 27 1753

ROGER WOLCOTT TO GURDON SALTONSTALL.

Windsor Aprill 28th 1753

Sr

Yours of the 27th Instant I Acknowledge and Can truly tell you I have Never been Embarast more in any afair than this of the Spaniards

When I was at New London I hoped all things had been setled well but since find that the Spanish Super Cargo utterly refuses to Comply with your Chartering him a vessell upon finding this I asked the Councill at Hartford if I might Charter a vessell and put the Efects on bord without his Consent they were all of Another opinion

upon finding they Would Demand a Replevin for the Remainder of the Goods after the charge was pd I advised with the Councill about it at Norwich they were of opinion their Efects Could not be Deneyed them it must be Granted

The case standing thus the Resolve at New London the Judgmt of the Court of Admiralty and the opinion of the Councill agreeing that the remaining Goods should be Delivered I must Either Grant a Replevin or run the venture of their staying and Complaining home which might produce a letter of Reprizall from the King of Spain or a frown upon this Government for not useing the power Granted in the charter and possibly an Award for Damages or some thing Worse how Could I justify my self my own act at New London the opinion of my Councill upon the statute would all be Against me without my being able to say any thing for my self I believe if you were in my Case you would reidily vue the venture of the publick resentment that this might occasion and I have Done Evry thing short of this and if you can find a remidy for this it will be Agreable to mee but till that is done in my opinion I shall Expose the public and my self to far.

Tis true the Efects are in the Colectors hands till the salvage &c is paid but this time must have a reasonable Limit or the Goods are his own and forasmuch as According to my present opinion a Replevin must be Granted if Demanded and bonds tenderd you will Consider Whether it is

your Interest to put your acct into the Colectors hands or not in this Case I pretend to no Authority and mention it only in hope to serve you if you have made a bargain With the super Cargo the Colecter may have Nothing to do with it but that tis best to Advise if you Can deliver the Goods or must be put to your acton and Whither the Colector Can detain the Goods after all his accts are Answered for any Debts Contracted by the Merchant

I believe if the Merchant had Complyed with the first order made at New London he would have saved much time and Expence but it has been Impossible to perswade him to it and the Case must now be Considered as it is and

Tis well you deneyed them a Register I desire you will persist in it and be Asured I shall be ready to serve you in Every thing where the Law will Justify*

If the Merchant shall ship his Efects on any vessell but but what is Charterd by my Agent I must Leave that matter to be Determined by the Law on a plaint made to the judge to whome it belongs I am with due respect

your Very humble servt

R WOLCOTT

To Gurdon Saltonstall Esqr

p s I am pleased to hear you Deneyed them a Register and hope you will persist in it

[Indorsed] Collo Saltonstall Aprill 28 1753

ROGER WOLCOTT TO GURDON SALTONSTALL.

Windsor Aprill 28 1753

Sr

Yours of the 27th Instant I Acknowledge and it is with Concern that I see this Afair so Embarassed and that you Mr Hull and my self have had so much Trouble in it

If they want a Register tell them Come to mee and tis well you Adheard not to that motion

According to my reading of the statutes of the 12th of Anne the Efects are in the Hands of the Colector who is

* This paragraph appears to have been crossed out.

Accountable for them and so is to charge for their preservation and what has been Done upon that Acct is under him and the statute lodges the Goods in his hands till the salvage &c: is paid the Remainder belongs to the owners and you will remember that it was resolved in Councill at New London that after the salvage &c was paid the Efects remaining should be Deliverd to the Spaniards and so was the Judgment in the Admiralty

When I mett the Councill at Norwich I told them I Expected to have a writt of Repleven Demanded and Desired their Advice there was none of them Gave their opinion that it should be Deneyed for the Remainder of the Efects after the Charges paid

And there upon that I might prevent any step or Complaintes in which this Governt or mr Hull might suffer I wrote him my last Letter to Direct him as well as I Coud how you and Capt Durfy might be satisfyd and no just Cause of Complaint Given

If the statute be so that after the Charge is Answerd the Remainder is to be delivered to the owner if the Goods and not to be Delivered while the Charge Goes on and the Charge must be Going on till the Goods are Deliverd in a criticall sence there Can be no time for the Delivery for in the Nature of the thing there must be some time after the charge is paid before the Goods Can be Actually dd this must therefore beare a reasonable Construction

At new London the Efects were orderd to be Deliverd to the Spaniard after charges paid and you were apointed my Agent to Charter them a vessell had they Complyed with this it would have Given us no trouble and I supose would have saved them a vast Expense but they refuse what is to be Done in this Case shall their Efects be detained from them till they Comply this I laid before the Councill at Norwich who were of opinion that if the remainder of the Efects were not Delivered they might have a Replevin I can think of no other way in this Case but to Leave them to the Law if they will Charter a vessell without the Agency of the Cout they must run the venture of the forfeiture if

any there be which I must leave to be Determind by the Judges on a proper plaint

you are sencible S^r^ that I have Done all I Can in this afair but to deny a Replevin when properly prayd for would be to Act Contrary to my Councill and fear will bring a blame on the Colony which I know you would Gladly prevent

ROGER WOLCOTT TO JOSEPH HULL.

WINDSOR Aprill 28 1753

*S^r^*

I have recd yours of the 27th Instant and am surprized you should find any thing in it to Cast blame upon you

I Assure you there was no such thing Intended but only to Inform you of the motion made for a Repleven of the Goods which I thought Could not be deneyed and therefore as a friend informed you of it and Gave you my last advice how to prevent it or [ ] it without [ ] surprize

I never pretended to have any Comand of the Cargo knowing they were [ ] in your Custody and not mine and you will observe that when I wrote to you on the 18^th^ and 30^th^ of December the salvage was not setled nor Could I think the merchant would make any Dificulty with my order apointing an Agent to Charter him a vessell for which was then very thankfull And yett there was a Great strugle between his Majesties subjects about the Custody of the money and m^r^ chew pretended a Right to take it into his hands upon this as a friend I told you that it Could not be took out of your hand you Were Accountable for it and then I expected no Dificulty in its being put on bord a vessel Chartered by Coll^o^ Saltonstall but now the merchant refuseth to Comply with it and my Councill here [ ] the Efects Cant be kept from him

upon this I wrote you my Last letter not to blame you but if possible to keep you from Trouble and blame and this not by Comand but Advice only

Tis true if the merchant had attended my first orders Coll° Saltonstall would have Done his bussiness in the best man[ ] m^r^ Stewart would not have been Disapointed and the Spaniard would probably saved a Great Expence of time and money but we Cant Comand him therefore you are to Consider the Case as it now is

I have wrote to Coll° Saltonstall on his afair

with respect to Cap^t^ Durfey all the Gentlemen of the Law that I have heard upon it say he Cant reover the money into his hands but by Agreement and that lett him Improve his opertunity if he will not you will advise if you Can be safe in keeping the money so Long as he pleases to delay and Whither it be reasonable you should be put to any trouble about it if he will not take his opertunity

you must be sensible that it is not a penny to me whether your trouble be more or less about it and therefore it is only out of respect to you and a hearty desire that so Good an officer may long Continue with us with as much [ ] as may be that I have Given my self the Trouble of writting so many letters to you about it and if in any thinke I can be of any service I shall acc^t^ my pains well spent Who am

your very Humble serv^t^

[Indorsed] To the Collector Aprill 28^th^ 1753

Spanish S^t^ Jos & S^t^ Helena

ANDREW OLIVER TO ROGER WOLCOTT.

Boston 28 May 1753.

*S^r^*

M^r^ Partridge informs me that he has drawn upon me in favour of your Honour for Five hundred Pounds Ster^l^ & I should be extremely obliged to you, if any oportunity should offer of conveying a Line to me, that you would advise me whether or no there be a probability of your sending the Bills to me for acceptance & in what Specie you should ex-

pect the Pay for them; that I may take measures accordingly. I am with great Respect

Yr Honrs most humle Servt
ANDW OLIVER

Honle Roger Wolcott Esqr

[Superscribed] Bo Paid 5/6 To The honle Roger Wolcott Esqr At Windsor

[Indorsed] From Mr Oliver May 28 1753

ANDREW McKENZIE TO JOSEPH MIGUEL DE ST. JUAN.

Don Joseph Megl De St Juan

Sr

Two posts agoe I recd a Letter wrote in Spanish from you, in which was an English Translation, & Said at the Begining of your Letter by the hand of the Jew to be the English of yours; if it's So I can't help Saying but you are Extreamly obliged to yr worthy friend Mr Lane for inditing so Genteel a Letter for you, you Seem extreamly Surprised that in your Six months Acquaintance I cou'd not have fallen on a Scheme before to get you Away. I must Say, I think its Surprizing in either you or Mr Lane to Say Soe, when you have not been but a few hours in our mind, & I can prove by every person in this Governmt that knows Any thing of you, that if you had been Steady to follow your owners Interest, you might have been in Spain Some months agoe, your Going for Boston, & next for New York, & being led by the nose by a faithless Jew, whose Nation Sold their God for money, & crucified him afterwards, how cou'd you think that he coud be true to you, who is of a place, where none of their Sect is tollerated.

he has even been So imprudent as to disclose his own Secrets, & Said, if I had given him as much money as other people had, he wou'd never have Sold You to Lane & Cuyler, these prooffs I must Send to my friend Mr Robt Main & Como to Shew your Owners if they Should think it propper for my justification.

I must tell you that if you don't come here by next post, I shall follow my orders from Messrs Rogue & Anto Aguado, & Ship the Goods to the Gentlemen by Capt. Edward Cahill, by whom you may goe passenger, if you incline, with all the rest of the Gentlemen: if you think worth your while you may Acquaint those Gentlemen, that is of so great business & left it all to Serve you for nothing, that their Scheme to get the thirty Saroons of Indico (that was Sold to pay the Salvage) was too thinly coverd for a Child of three years old, but to See thro' it, & as they think themselves extremly Snugg for their own pay in having got So much money of you, as to pay for a Ship Which they Say is their own propperty & have wrote Mr Richards that I have no power from your Owners, if you think it worth your while to let them know, they Shall know what power I have before they Stir that Ship from this place, for they Shall Account with me, for all the money they have had of you.

After you reflect cooly on what I have been forced to Say, I fancy you'l find it your Interest to come here, & goe home with the Goods, & then Some Affairs will not need be Carried to Such Extremity as they will be if you persist in your Obstinacy,

Since I had yours, I waited again on the Governr & he has wrote Mr Hull he is Safe in Letting me ship the Goods without you.

I am Sr yours &ca A: M: K

New London June 7th 1753

To Don Jos: Megl de St Juan

Copy.

[Indorsed by Wolcott] McKinzie to Don Joseph June 7 1753

JOSEPH MIGUEL DE ST. JUAN'S DECLARATION AND PROTESTATION.

By His Excellency the Honourable George Clinton Captain General and Governour in Chief of the Province of New York and Territories thereon Depending in America Vice Admiral of the same and Admiral of the White Squadron of his Majesty's Fleet.

To all to whom these presents shall come or may concern Know Ye that Edward Holland Esquire before whom the annexed Declaration and Protestation of Joseph Mig[l] de S[t] Juan appears by the annexed Certificate signed by the said Edward Holland to have been Sworn to, is Mayor of the City of New York in the Province of New York in America and also One of his Majesty's Council of the said Province And that to all Acts and Instruments by him signed and Attested full Faith and Credit is and ought to be given in Judgment Court and without.

In Testimony and Confirmation whereof his said Excellency hath hereunto set his hand and caused the Seal of the said Province of New York to be hereunto Affixed annexing hereto the said Declaration and Protestation and the Certificate aforesaid wrote and contained in eighteen sheets of paper At Fort George in the City of New York the twelfth day of June in the twenty sixth year of the Reign of Our Soveraign Lord George the Second by the grace of God of Great Britain France and Ireland King Defender of the Faith and so forth and in the year of Our Lord One thousand seven hundred and fifty three.

G CLINTON

By His Excellency's Command
GEO BANYAS D Secry

To all People whom it may Concern. This Solemn Declaration and Protestation of Joseph Mig[l] de S[t] Juan a Subject of his Catholic Majesty the King of Spain Witnesseth That on or about the fourteenth day of October last The Spanish Snow S[t] Joseph and S[t] Helena Sailed from the Port of the Havanna in the Island of Cuba bound for the Port of Cadiz in Old Spain under the Command of Don Christoval de Urranago Captain Assisted by Don Domingo Serondo Second Captain, Don Juan Antonio Linares Secretary, Don Antonio Castro Surgeon, Antonio Vivas Boatswain, with other Officers and Seamen, in the whole forty Persons Laden with a Very Valuable Cargo under the Care and direction of him the said Joseph Mig[l] de S[t] Juan as

Master Super-Cargo and director of the said Snow and her Lading. To which Office he was Lawfully Authorized by the Most Illustrious Lord Francis de Varas and Valdes Royal Councellor and President of the Royal audience, and of the House of Commerce belonging to the Spanish Indies and Generallisimo of the Marrine of his said Catholic Majesty the King of Spain, who in his own Person by Virtue of the Order of his said Catholic Majesty Given at Madrid on the Seventeenth day of July one thousand Seven Hundred and fifty, did afterwards on the Seventeenth day of May in the Year of Our Lord One Thousand Seven hundred and Fifty One by Commission nominate and Constitute the said Joseph Mig^{l} de S^{t} Juan Super Cargo and Director, and Master & Administrator of the Goods and Merchandizes then laden, or that should be laden on Board the said Snow during her Intended Voyage from Old Spain to the Indies, and from the Indies back to Spain. Which Act was done in the Presence of Don John Sanz de Martinez Secretary of the said House of Commerce, belonging to the Indies, and the same Commission was Sealed and Signed by the said President and Secretary, and by Don Charles Valenzian Knight of the Order of S^{t} James, Royal Councillor and first Officer of the said House of Commerce, and all the other Judges of the said House. Which Lading of the said Snow on the fourteenth day of October last, Consisted of Five hundred and Twenty Eight Bags of Indigo weighing Neat each Two hundred and Twelve pounds Spanish Weight, Thirty Ditto weighing together neat Six thousand five hundred and ninety pounds like Weight, Thirty four Ditto weighing Neat each one hundred and fifty pounds of the like weight, Thirteen Ditto of Dragon's Blood Weighing neat each Two hundred and three pounds like weight, Twenty Seven Ditto of Balsam of Peru Containing Two Jarrs each neat fifty pounds like weight, One hundred and Twenty Six Ditto of Curana Weighing neat each One hundred and Sixty Pounds like weight Two Ditto of Sevadilla, each p^{s} Supposed to weigh One hundred and Sixty pounds like Weight, Sixteen Ditto Sarsaparella Regulated at One and an half Quintal,

Each p^{s} in the whole Twenty four Quintals, One Ditto of Wool Weighing neat Eighty Pounds like Weight, Two Boxes of Banillas weighing together neat One hundred and Eighty pounds like weight Eight Ditto of Chocolate Paste Estimated by Inspection to Weigh Each neat Two hundred Pounds like weight, Two Ditto of Balsam called Mary's Milk Estimated by Inspection to weigh each Neat One hundred and Sixty pounds like Weight, Two Ditto of Different make, with Images, worth with all the Ornaments of Diadems and Silver, Estimated the One at four hundred Pieces of Eight, and the other at Two hundred Pieces of Eight, Called Spanish Dollars, Seven hundred and Sixty Hides Estimated at Twelve Dollars Each, Ten Bags of Achiote weighing each neat One hundred and Eighty pounds like Weight, Ten Ditto of Hypecacuana weighing fifty Eight Roves Amounting to One thousand four hundred and fifty pounds like weight, One hundred and Eighteen Quintals of Sarsaparella which came Registered at One hundred and Eighteen Quintals, and two Quintalls more which are among the Balsom, in the whole one hundred and Twenty Quintalls, Each Quintal Containing One hundred Pounds like Weight; Eighty three thousand Six hundred and Twenty one Spanish Dollars and One Ryal and One half Ryal of Plate Silver, and five thousand One hundred Ditto Value in Gold Amounting together to Eighty Eight thousand Seven hundred and Twenty One Spanish Dollars, and One Ryal, and One half Ryal, Three Boxes of Wrought Plate, and two Parcells Containing in all four hundred and Seventy two Marks, of the Value of fourteen Dollars Each Mark. All which he the said Joseph Mig^{l} De S^{t} Juan doth Estimate and Value according to the best of his Judgment & Knowledge of their Worth in Cadiz at three hundred and Ninety Six thousand nine hundred and Eighty three Spanish Dollars and One Ryal and a Half Ryal, Saving Nevertheless to himself the Right of such an Estimation and Valuation thereof as shall be made of the said Cargo at Cadiz in Spain and in England. All which Goods Merchandizes and Effects, were Registered at Guatimala in New

Spain for the Port of Cadiz aforesaid to be delivered to their Respective Owners or their Agents and Factors at the Port of Cadiz, at the Arrival of the said Goods Merchandizes and Effects There.

That the said Snow S^{t} Joseph and S^{t} Helena laden with the Cargo aforesaid soon after her Departure from the Havanna On her Intended Voyage to Cadiz, being on the High Seas Proving Leaky it was Judged by the Officers and Seamen on Board to be Necessary for the preservation of the said Snow and Cargo to Endeavour to reach some port of North America, in Order there to Repair and Refit the said Snow, and from thence to proceed on the Intended Voyage for Cadiz. That on or about the Twelfth day of November last, being on the High Seas in the said Snow, Standing on a Course Northerly for some Port of North America, The said Joseph Mig^{l} de S^{t} Juan met with one John Simpson bound in the Brigantine called the Susanna for the Port of New London in the Colony of Connecticut in New England, who Offered to Accompany the said Snow to that port, and put one Daniel Vosper a Marriner on Board the said Snow to Assist as a Pilot in bringing her thither; in Recompence of which service the said Joseph Mig^{l} de S^{t} Juan Sent Two Spanish Seamen in the Room of the said Daniel. That the said Snow arrived on or about the Twenty fourth day of November last near the Mouth of the Harbour of New London, with her Cargo aforesaid and Came to an Anchor there, at about four Miles distance from the said Town of New London. That Daniel Vosper at about Six oClock in the next morning Offered to Pilot the said Snow into the Port of New London and told the said Spanish Captain, that it was necessary to Order the Marriners to get up the Anchor, and that Although the Course between the said Snow, and the said Harbour lay North and South, and the Wind was then North West, he did not Doubt but that with the Assistance of the Tide he should be Able to Turn in.

That the said Snow being under Sail, and the Wind Continuing at North West and the said Vosper taking upon

him the direction of the Steerage, first Ordered the Snow upon a Tack W S W and went on that Course about Two Leagues and an half, and then the Wind Shifted to the West & W S W which the said Daniel Vosper perceiving gave order to put the Snow about, which was immediately done, laying her head to the Mouth of the Port, Steering this Course about half of a League; At which time it was about Ten o'Clock in the Morning, and then from on Board the said Snow a Large Boat was Discovered to be Steering, backwards and forwards, about a League from the said Snow making Signals, by Lowering her Sails and then Hoisting them up again, which the Spanish officers on Board did not understand, and after the said Snow had Sailed about a Mile further they Observed a Hanckerchief fix'd to an Oar And thereupon Enquired of the said Daniel Vosper if he knew what was the meaning of those Signals; to which he answered, he did not know what they meant. Upon which the Spanish Captain said to him, "Man pray Consider and look out well and see if there be any Rocks in Our way" To which he answered "You need not fear it's all Clear; and we have nothing here to Stumble against." On this the said Spanish Captain said, he believed they (meaning the English Government) would not Let them Come into the Port, for he could not Comprehend what else Could be the meaning of so many Signals, as that Boat made; to which the said Daniel Vosper the Pilot answered "The Best way is to make Sail and go and See what they mean," which was accordingly put in Execution, and the said Snow Coming within Gun Shot of the said large Boat struck upon Rocks, but without any Considerable Blow, the Sea being very Smooth. Upon this the aforesaid Boat Came on toard the Snow, but it Appeared Very certain that she might have been on Board of the snow, an hour sooner, and have prevented the said Snows running on the said Rocks. In that Boat Came Mr Andrew McKinzay and the said John Simpson, with another Pilot named James Gardiner which they said was the Best in Town. Upon said Simpson's Coming on Board the said Spanish Officers Enquired of him the Reason why he had

not sent them another Pilot, as he had promised the Day before when he left them, To which he Answered that he had Ordered one to Come on Board the snow, but that the said Pilot was Hindered by the bad Weather, which the said Officers knew to be false, the Sea having been so Calm that a Canoe might with great Safety have come on board.

The said Pilot James Gardiner, who came in Company with the said McKinzay and Simpson then took the Command of the said Snow, and Appeared to take No Notice of the first Pilot to wit Daniel Vosper, That said Simpson had put on board. And the said James Gardiner declared it to be his Opinion, as likewise did others, that in Case the long boat belonging to the said Snow was Hoisted Out of the Snow, she would Get off, which being Hoisted Out, the said Snow Got Clear of the Rocks on which she had Struck, And then the Pilot to wit James Gardiner, that had been last brought on board Ordered the Stearsman to Luff up, which being readily Executed The Vessels Head soon Struck a Severe blow upon the Rocks, and Lay with about two foot of her head upon them, which, as soon as the Spanish Officers Observed they told Simpson and the said Pilot that it was their Opinion, that if they back'd All their Sails and Carried a small Anchor Out a Stern, the said Vessell would Get off, And proposed to the said Pilot to make Tryal of it; to which proposition the said Pilot And those who came with him, Answered that she would get off with the Flood and Depending upon their own knowledge and Authority, They took not the Advice of the Spanish Captain and Officers, nor regarded what they said to them. That thereupon the said Andrew McKinzay seeing the Condition the Vessel was in, went to the said Super Cargo, and Second Captain and said to the said Super Cargo, "Sir be pleased to Consider whether I can be of any Service to You, for without any Regard to Interest, I shall be ready to Render you any Service in my Power; And that if you think proper, as the Boat I Came in, is to return on Shore Empty, you may send the Silver and Gold, and the most Valuable Part of your Cargo on Shore, and put them in some secure place.

to which the said Super Cargo Gave for Answer, "That he was Obliged to him for his Offer, but that as to putting what he mentioned in the Boat, to send the same on shore he Could not possibly think of doing it, nor Could he Trust the most Valuable Part of his Cargo without being with it himself, to see it Stored to his Entire Satisfaction. But that he was willing so far to Accept of his kind offer as to be Obliged to him to have the Guns, Anchor and Cable which were most at Hand Sent on shore, To which said Mr McKinzay answered, "that the Master of the boat would not Carry any such things, and when the boat was going ashore, The said Mr McKinzay made his Offer a Second time to send some Boats to take off the Cargo on board the said Snow upon which the said Super Cargo said to the said Mr McKinzay "since you have been pleased to offer me your Service, in such a free manner, Do me the favour to order two or three Boats from the Shoar, to Lighten the said Snow, which Proposal Said McKinzay accepted of saying, "that he would with the Greatest pleasure imaginable serve him in it; And the said McKinzay went in the said boat from on Board the said Snow at about three o'Clock in the afternoon. Soon after this a Sloop passing at about a Mile a Stern of the said Snow, The Spanish Officers being about to send their Long Boat with some Spanish Seamen on Board of her to ask them if they would come and lighten the said Snow: the said Simpson thereupon said "what are you about to do" And the Spanish Officers Explaining their Intentions, said Simpson said "Let me Go for I can better prevail with them than the Seamen." and thereupon the said John Simpson went on Board the said Sloop and had some Conversation with the People there, which the Said Spanish Seaman that went with the Long Boat did not understand, and the Said Simpson went to New London in the said Sloop, and did not Return in the said Long Boat on Board the said Snow as was Expected.

That soon after the said John Simpson was gone from the said Snow the said Pilot James Gardiner Ordered the Sails to be furl'd, and the Spanish Officers Offered to Lower the

Yards; but the said Pilot would not Consent nor hearken to the said Proposal. at about this time the Ebb was making, and the wind freshned a little, and the Vessel Swinging began to give several Heavy Thumps upon the Rocks, and at about Half an Hour after three, by beating on the said Rocks her Rudder broke and parted from the said Snow. At Seven oClock in the Evening of the same day came from the Harbour of New London a Schooner and a Sloop, the Schooner first Came along side of the said Snow, into which the said Super Cargo began to Load the Gold and Silver; afterwards came the Sloop on Board with Mr Andrew McKinzay, who had a great Dispute in English with the Master of the Schooner, which, by their Actions appeared to the Spaniards on board the Snow to be a dispute between the Master of the Schooner and the said Andrew McKinzay, who should Carry the Gold and Silver on Shoar, but they made the matter up and the Gold and Silver and Some other Effects were put into the said Schooner in which likewise Embarked the Super Cargo, Surgeon and One Marriner and said Andrew McKinzay, who all went on Shore together that some time afterwards the Wind blowing fresh and not being able to bring the said Sloop along Side of the Snow, They fastned with a Rope the said Sloop to the said Snow, by which means the Snow Gott off the Rocks without any Great Quantity of Water in her Hold, more than she had made before. That thereupon the said Snow Floated in five fathom water, and the sd Pilot ordered the Seamen to make Sail, But the said Spanish Captain Apprehending further Danger, Desired the Chief Pilot to come to an Anchor till the morning, that he might then see Clearer what he did, but he would in no manner hearken to him, but made Sail and at Eleven o'Clock at Night came to Anchor in a place where the Said Snow had but three fathom and a half of Water and ordered the People on board to Let go out about Twenty fathom of Cable, whereby the Stern of the Said Snow was found to be Close to some Rocks, and upon the Water's Ebbing, the Snow beat on the said Rocks, and the Reef was discovered above water, and

the blows that the Snow Suffered upon the said Rocks were so violent that the Spanish Officers Every moment Imagined the Masts would have Come by the board. And therefore beg'd of the said Pilot that the Yards might be Lowered, which he Absolutely Refused to Comply with. That on the Twenty Sixth Day of November last finding it Impossible to get out of the place in which the said Chief Pilot had brought the Said Snow unless the wind should Shift, and perceiving the Vessel by Continual Stricking upon the Rocks to make Water very much, and fearing the Masts would Come by the Board, the said Spanish Officers began Very Earnestly to Renew their Request to the s^{d} Chief Pilot, to Lower the Yards, and Cut away the Masts to prevent if possible the Vessels Sinking, and by that Means to Save the Cargo to which Request he absolutely Refused to hearken: but said that if the said Spanish Officers thought proper he would Cut away the Cable, and Run the Vessel a Shoar, They perceiving his Design in this told him it was by no means Convenient so to do, Adding also that in the place where they were the Cutting away the masts would by no way Expose the Cargo to danger, and that he ought to Consider that if they should do as he proposed in running the said Snow upon the Shore, They would Run the Risque of Loosing all.

That about Ten o'Clock in the next morning as the said Vessell Continued beating on the said Rocks, they discovered a large piece of her false Keel, and some of her Sheathing floating alongside, and desired the said Pilot to take notice thereof; whereupon he then Consented to Cut away the said Snow's Main Mast, which was done accordingly, and it fell into the Water. On the Day following, the said John Simpson Offered his Service as a pilot to the said Spanish Super Cargo to bring in the said Vessell, And the said Super Cargo Gave the said John Simpson Orders to the Spanish Officers to Receive him as such. That he Accordingly came on board the said Snow with Written Directions, but behaved not as a pilot but Rather like a Pirate and went into the Cabin and broke

Open the Lockers, and the Bread Room, Searching Every Corner. That he Opened the Scuttle of the Gun Room, and with the Assistance of the said Daniel Vosper, took Out all the Spare Sails, Fusils, and the rest of the Arms belonging to the said Snow, which the said Chief Mate or Boatswain Anthony Vivos perceiving, went to the said Simpson and ask'd him what Sort of Villainies those were, which he was practising in such an Infamous manner? To which the said Simpson answered That there should be nothing lost, That there should be a good Account Given of all. But he the said Simpson Carried away what he pleased, and has not produced any part of the said Goods, nor has he given any Account thereof to this day.

That on the Twenty Eighth of November last, the wind blowing fresh from the South West in the Evening, the said Simpson Proposed Cutting the Cable, and running ashore, but the said Spanish Officers answered, it was not Convenient, Showing him at the same time the Great danger they should run, in Exposeing to Loss; Two hundred and Odd bales of Goods, still remaining on Board. That in the Night following, the Wind Abated, and Came about to the North West. That on the Twenty ninth of November last, at Two o'Clock in the morning there Came a Sloop and a Boat from New London, which being fastned to the said Snow, & Her Cable being Cut, She by the help of the said Sloop, and Boat got off the Rocks, and at break of day the wind being fair reach'd the Mouth of the Harbour of New London, and Came to an anchor there, and remained there till she was unloaded. That in the Evening, the Wind freshned from the South East, and the said Snow being in Tow with seven small Vessels got into New London Harbour, and at Seven o'Clock that night was Hawled along side the Wharf. That thereupon the said Snow and her Tackle Apparrel and Rigging, with all her Appurtenances were Taken into the Custody of Joseph Hull Esq^{r} Collector of that Port.

That upon the Arrival of the said Snow, the Government of the Colony took the Cause under the Case of the said

Snow S^{t} Joseph and S^{t} Helena under Examination. That by the Minutes and Entries of the Proceedings of the Honourable Roger Wolcott Esq^{r} Governour of the Colony of Connecticut respecting the said Spanish Snow, It appears that, on the Twenty Seventh of November last, there had been taken out of the said Snow a part of her Cargo, which by the Consent of Joseph Hull Esq^{r} Collector of his Brittish Majesty's Customs, at the said port of New London had been put into the Store of Coll. Gurdon Saltonstal, and that the Key thereof was kept by the said Collector, Whereupon, that nothing might be done Contrary to the Rules and Customs in such Cases, The said Governor made Out an Order to the said Gurdon Saltonstal Esq^{r} Impowering and Directing him to keep in his Custody the Goods in his Store, and to take Care of the other part of the Cargo, That was or should be brought on Shore, in a proper manner, that it might be Secured for the Right owners and to take an Account thereof in a proper manner, and Transmit the same to the said Governor, and to Afford the Officers and Company of The said Snow all proper Assistance and Comfort they should apply to him for, and that afterwards to wit on the ninth Day of December last for as much as it appeared to the said Governour that there was some Suspicion arising from several Considerations, whether the said Snow had Lawfully come into the said Port, That the said Governor had Called to his Assistance and Council, the Honourable Thomas Fitch Deputy Governor, Hezekiah Huntington, John Bulkley; and Gurdon Saltonstal Esq^{rs} of his said Majesty's Council for the said Colony, and that having inspected Sundry papers in the Spanish Language, and taken Sundry Examinations which the said Governor having with the Advice of Council aforesaid, duly weighed and Considered, It was on the thirteenth day of the same Month Judged that the said Spanish Snow, made for that Port in Distress, on Account of the Leakage of the said Snow, and that in Coming in to that port she by some Misfortune was run upon a Reef of Rocks near the Entrance into that port; to free her from which, it was necessary to take Out and Land her

Cargo, as had been done, And that it was thereupon further Resolved by the said Governor, with Advice as aforesaid that the Officers of the said Snow should have a permission to Refit the said Snow or in Case she was not fit to be repaired to Charter a proper Vessel to Carry the Company and Effects to the Port Designed, and provide them all other Necessaries at the Cost and Expence of the said Officers, or Owners of the Effects; and that they should pay the Costs and Expence of that Enquiry, Examination and proceedure. And did further Advise that they Agree with all proper persons who by Law have any Right to any proportion of Salvage of the said Cargo, or part thereof or Otherwise, according to Law adjust the Same, and these things being Done and Satisfied, and all Charges paid, that they Receive the Residue of the Cargo to proceed their Voyage. And on the Eleventh Day of the said Month of December on the motion of the Spanish officers, the said Governor Gave Orders under his hand, Appointing three Skilfull & Judicious Ship Carpenters to Seach and View the Condition of the said Snow, and on Oath Report thereon to him whereupon on the fourteenth day of the same month at New London aforesaid John Jeffrey, Charles Fallet, and Joseph Coit, did Certify on Oath, then and there made before the said Governour, and in Writing under their Hands, with their Names Subscribed, that they being Commanded by the Honourable Roger Wolcott Esq Governour of the Colony of Connecticut, to Survey the Spanish Snow S^{t} Joseph then in the Harbour of New London and to Examine whether she was Capable of being Repaired fit for the Seas, and also to report on Oath what Circumstances she was in, as to her being fit for the Seas before she ran on the Reef of Rocks, near that Harbour, and also what Damage she received whilst on said Rocks, and since.

That accordingly they had been on Board the said Snow, and had very Critically Surveyed the same, and found that her upper works forward, were so Exceedingly Open, and Destitute of Oakum as to Render her Incapable of proceeding on her Voyage to Old Spain. That they also

found that her Stern Post Transum, and so many of her Timbers were Defective, as to render her Incapable of being repaired to the Advantage of her Owners.

And that as to what Damage she received on the Rocks and since, they could only say that her Main Mast was Cut away, and her Rudder beat off, and that as they were Informed a Considerable part of her Keel.

That afterwards on the fifteenth day of the said Month the said Governor for the said Examination into the Reasons of the said Snow S^{t} Joseph and Helena's putting into the Port of New London did Allow and Order, the following sums to be paid to wit, To the Honourable Roger Wolcot Esq^{r} Govornor Twenty five Pistoles. To the Honourable Thomas Fitch Esq^{r} Fifteen pistoles. To Hezekiah Huntington Esq^{r} Nine pistoles. To John Bulkly Esq^{r} Ten Pistoles. To Gurdon Saltonstall Esq^{r} Eight Pistoles. in the whole Sixty Seven Pistoles, and to M^{r} Joseph Cowley Interpreter Twenty Dollars, To M^{r} Abraham Cardoso Interpreter fifteen Dollars, To the Honourable Governor Wolcott for Copy of proceedings, and Copy of Evidence Authenticated thirteen Dollars, in all forty Eight Dollars as by the Certificates under the Hand of the said Governor, and further attested by George Wyllys Dated at Hartford on the Twentieth day of December last under the Seal of the Colony of Connecticut may more fully appear.

That before the Thirty first Day of March last he the said Joseph Mig^{l} De S^{t} Juan pursuant to the said Order paid the said Sum of Sixty Seven Pistoles, and forty Eight Dollars by the said Governor allowed and Ordered to be paid, and to the said John Jeffry, Charles Fallet and Joseph Coit, About three or four Pieces of Eight for their Service in making the Survey aforesaid.

That after the Arrival of the said Snow, and the Examination and Orders given by the Colony of Connecticut as aforesaid the said John Simpson Libelled the said Snow and Cargo, before the Honourable Lewis Morris Esq^{r} Commissary of the Court of Vice Admiralty for the Colony of Connecticut, on Pretence of Salvage, in which Suit the said

Judge or Commissary Decreed Twenty three thousand Pieces of Eight to the said Libellant for Salvage, and also Costs of Suit. on Pronouncing which Decree he the said Joseph Mig^{l} de S^{t} Juan Appealed before the said Judge, and Protested against the said Decree, Nevertheless, the said Judge Executed his said Decree whereon was Levied Twenty five thousand and Two Pieces of Eight, and afterwards Rejected the said appeal, for which the said Joseph Mig^{l} De S^{t} Juan before the said Judge hath Entered his Solemn Protestation as may by the proceedings under the Seal of the said Court appear.

That in Execution of the said Decree; Thirty baggs of Indigo part of the Cargo of the said Snow were Seized and Sold. That the Remainder of the said Cargo was by the said Judge Decreed to be delivered to the said Spanish Super Cargo and officers as by the said Decree under the Seal of the said Court may appear.

That at Two several times he the said Joseph Mig^{l} de S^{t} Juan hath received of the said Silver, in the Hands of the said Collector, and the said Saltonstall, who had the Custody of the same, to the Amount of forty thousand Seven hundred and Sixty Six Pieces of Eight and no more.

That the said Joseph Mig^{l} de S^{t} Juan, having frequent Occasion to be Absent from the said Port of New London to Prosecute his Demand of his said appeal, from the Decree of the said Court of Vice Admiralty, and to prevent Execution on the said Decree till his said Appeal should be determined, Did in due form by Writing under his Hand and Seal Recorded in the Office of Town Clerk, in the County of New London in the said Colony of Connecticut, Constitute and Appoint Mess^{rs} Henry Cuyler Jun^{r} and Henry Lane of the City of New York Merchants, to be his Agents and Attorneys, to Transact all his Affairs at New London relating to the said Snow and her Cargo. And that one Richard Durphy and the said Collector pretending large Debts due to them from the said Snow and her cargo, His said agents frequently desired the said Collector in the behalf of himself and others, to bring their Actions at Common Law for

any Demands, they had against the said Snow and Cargo, and Offered to give Bail to any Suit that might be brought, And if the said Collector would not prosecute his Demand at Law desired him to Stop in his Hands out of the said Cargo, at his own Risque, so much as he Judged would be in Value Equal to all Reasonable and Just Demands, and render the Residue of the said Cargo to him the said Joseph Mig^{l} De S^{t} Juan or his Agent, Either of which the said Collector Refused to do. Wherefore on the Thirteenth of March last he the said Joseph Mig^{l} de S^{t} Juan by Samuel Fitch his attorney humbly requested the Honourable Roger Wolcott Esq^{r} Governor of the said Colony of Connecticut to give an Order to the said Joseph Hull Esq^{r}, to deliver to him the remainder of his Cargo aforesaid on payment of all reasonable Charges, that had accrued on them. And that he the said Joseph Mig^{l} de S^{t} Juan might have Liberty to Charter some Vessel in his Government to Carry off the said Effects. That the said Governor absolutly Refused to Grant his said Request, Saying, he had Appointed an Agent to Transact his Affairs and would not give any other Orders, only that the Merchants Agents for the Said Joseph Mig^{l} de S^{t} Juan might dispose of the Old Snow, and her apparel, for the which purpose the said Governour gave an Order on that day in the words following to wit "Whereas the Spanish Snow called the S^{t} Joseph and S^{t} Helena (Don Christopher de Urrenge Commander) lately brought into the port of New London in the Colony of Connecticut in Distress, & being there Condemned as unfit to put to Sea, or proceed on her Voyage I hereby give Liberty for, and Authorize and Impower, Henry Cuyler Jun^{r} and Henry Lane both of the City and Province of New York Merchants, upon the Desire of Don Joseph Miguel de S^{t} Juan Super Cargo and Director of the Said Snow and her Cargo, to Sell and Dispose of the said Snow, her Cables Anchors, Sails, Rigging and all her Appurtenances for the use of the said Don Joseph Michael de S^{t} Juan, and in such manner as they shall Judge most to the Advantage of the Owners of the said Snow &c. Dated

at Hartford the 13th Day of March Anno Domini 1753 R. Wolcot Govr of Connecticut.

That on the thirty first day of March last the said Joseph Migl de St Juan presented his Petition to the said Roger Wolcot Esqr in the words following to wit. To the Honourable Roger Wolcott Esqr Governor of the Colony of Connecticut in New England in America.

Joseph Miguel de St Juan Super Cargo and Director of the Spanish snow St Joseph and St Helena, and her Cargo lately brought into the Port of New London in the Colony aforesaid in Distress, Humbly prays, That whereas upon Enquiry lately made by your Honour with the Assistance of Several of your Council, relating to the said Snow, and the Reasons of her being brought into the Port of New London aforesaid it appeared to, and was Determined by your Honour, that the Said Snow was brought into the Port aforesaid in Distress, and her Cargo Landed by Necessity, whereupon it was further Resolved by your Honour, that the Officers of the said Snow have a permission to One or more of the Brittish Subjects to refit said Snow, or in Case she be not fit to be repaired to Charter a proper Vessel to Carry the Company and Effects to the port designed, and provide them all necessaries &c. And that all Legall Demands being answered they should receive the Residue of their Cargo to proceed their Voyage, Your Honour therefore would be pleased to allow and permit Henry Cuyler Junr and Henry Lane of the City and Province of New York Merchants, (whom I have Appointed my Agents or Attorneys) to charter me some proper Vessel in your Honour's Government for the purposes aforesaid The said Snow being unfit to be repaired and furnish me with such things as may be necessary for my Voyage, And to receive and Ship the said Cargo for me (whenever we shall be ready therefor). And that your Honour would give all Necessary Orders for that purpose, And your Petitioner as in Duty bound shall Ever pray Joseph Migl de St Juan Dated the 31st Day of March anno Domini 1753

That thereupon the said Governor met with his Council, to take their Advice and Absolutely refused to Grant the Prayer of the said Petition. That afterwards in Order to Obtain the Benefit of the said Lycense, which had been Obtained on the thirteenth of March last, The said Henry Cuyler Junr and Henry Lane afterwards on the Seventh Day of April last Advertized the said Old Snow her Cables, Anchors Sails, Rigging and all her Appurtenances to be Sold on the Tenth Day of April 1753 And on the same Seventh Day of April being three Days before the said Sale was Intended to be made They the said Henry Cuyler Junr and Henry Lane Gave Notice to the said Joseph Hull the Collector as aforesaid, of the said Intended Sale, but he the said Joseph Hull who had the Custody of the Appurtenances belonging to the said Snow, that he might prevent the said Sale, went out of the Town of New London on the day before the said Sale was Intended to be made, and did not return till the day next after the day on which the Said Sale was Intended, and had been Advertized to be made. That also on the Tenth day of April in Order to prevent the said Sale, or any part thereof, They were threatned by one Richard Durphy that if they Attempted to make the said Sale, he would Dock the said Lane and Cuyler, and that he had then Twenty Fellows Ready At the Door of the House where the said Henry Lane and Henry Cuyler were, to Assist him so to do, and that he had as many more at the Dock for the same purpose. And about the same time, and on the same day he the said Durfy desired Aaron Cardoso who was at that time Interpreter for the said Joseph Migl de St Juan, to advise the Spanish Gentlemen not to Appear on that day, for they would Certainly be all thrown in the River, And he the said Aaron Cardoso in like manner if he appear'd again on that Day, to assist as Interpreter to the Spaniards, in Carrying on the said Sale, And that they the said Agents of the said Joseph Migl de St Juan, in Order to avoid all Objections to the Delivery of the said Effects, desired the said Collector to Deliver to them the Account of his Demands in Order to their payment of the same, who

thereupon Exhibited his Account as follows Dr The Owners and others Concerned in the Spanish Snow St Joseph and St Helena her lading and Cargo, to Joseph Hull Esqr Collector of his Majestys Customs for the Colony of Connecticut, in the months of November and December 1752 and in the months of January and February 1753. To taking of three Inventories by the Order of the Honourable Roger Wolcott Esqr Governor of Connecticut 220 Dollars and ¾ of a Dollar. To three Waiters 94 Days at 1¼ Dollar ℔ Day, is to each Waiter 117 Dollars, and ½, in the whole to the Waiters, 352 Dollars and ½ a Dollar. To my Own Care, Trouble Risque, Expence, and Constant Attendance upon the affair to the finishing of the same 1220 Dollars, in the whole 1793 Dollars and ¼ of a Dollar To which Account is Subscribed these words "Considerin the many Troublesome Circumstances that has Attended this Affair, the Great Risque I have Run, and the Extraordinary Care of those Goods, the Great Value of the Cargo, which according to the most moderate Computation is to the Amount of above Three hundred thousand Dollars, makes the above Charge very moderate, not being above ½ ℔r Cent and the same Care and Attendance will be given until the said Cargo is Reshipt. This Charge is Exclusive of Coll. Gurdon Saltonstalls Demands, also of all other Demands of the said Snow and Cargo not .mention'd in this account."

That to avoid any Delay of the Delivery of the said Goods (though they were not Satisfied with the Justice of the said Account) they Tendred to the said Joseph Hull the said One thousand Seven hundred and ninety three Dollars, and one fourth of a Dollar, being the Amount of his said Account which he the said Joseph Hull then Refused to Receive, in the presence of the said Aaron Cardoso and the said Gurdon Saltonstall Esqr. That he the said Joseph Migl De St Juan on the same day by his said Agents Henry Cuyler Junr and Henry Lane afterwards on the same day Demanded of the said Joseph Hull the Cargo aforesaid in his Custody, which had belonged to the said Snow, then Shewing unto him their Power and Authority in Writing

from him the said Joseph Miguel De S^{t} Juan to Demand the same, that notwithstanding he the said Joseph Hull Refused to Deliver the same Cargo, Saying that he Could not Deliver the said Goods and Merchandizes, without the Governours Order, neither would they be Delivered. all which was done in the presence of Cap^{t} Erasmus Williams, Joseph Smith and Samuel Fitch Esq^{r}, That on the same Twentieth Day of April afterwards the said Samuel Fitch Esq^{r} at the Request of the said Agents of the Said Joseph Mig^{l} de S^{t} Juan went to the Governor of the Said Colony of Connecticut and Requested him to Grant a Writ of Replevin in the Words following to wit. George the Second by the Grace of God of Great Brittain France and Ireland King Defender of the Faith &c To the Sherif of the County of New London or his Deputy Greeting we Command you that Justly and without delay you Cause to be Replevied to Joseph Miguel De S^{t} Juan Super Cargo and Director of the Spanish Snow S^{t} Joseph and S^{t} Helena and her Cargo now at New London aforesaid the said Snow and her Appurtenances, and All and Singular her Cargo Containing five hundred and nineteen Seroons of Indigo, and a parcel of Indigo in Seven Small Bags and Two Casks forty Six Seroons of Sarsaparella, and a Parcel of Sarsaparella loose, Twelve Seroons of Terra Chiponica, Eight Seroons of Red Stuff, Twenty Seroons of Balsam, One hundred and thirteen Seroons of Bark, one Seroon of white Stuff, one Seroon of Vigonia Wool, Three Seroons of Epecacuana, Two Seroons of Seed, One Seroon of Halibore, Twelve Boxes three of which are said to be Plate, Seven hundred and fifty Six Sides of Sole Leather, nineteen Chests of Silver, One Chest of Gold, Seven Chests and Two Cases the Contents unknown, Thirty Six Seroons the Contents unknown, and all the Residue and Remainder of the Cargo of said Snow, which Joseph Hull Esq^{r} Collector of Our Port of New London, did take and doth unjustly detain (as is said) & afterwards the same thereupon do you justly Cause to be restored to the said Joseph Miguel de S^{t} Juan, least we hear thereupon any further Cry for want of Justice. and you are

to Summon the said Joseph Hull Esq^{r} to Appear before the next County Court to be holden at New London in and for said County on the Second Tuesday of June next, then and there to answer unto the said Joseph Miguel de St Juan in a plea of Trespass, wherein the said Joseph Miguel de S^{t} Juan Complains that the said Joseph Hull Esq^{r} sometime in December last past at New London aforesaid, took the said Snow and her Appurtenances, and all and singular her Cargo as aforesaid; and the same hath unjustly detained as aforesaid until this time, which is to the damage of the said Joseph Miguel de S^{t} Juan (as he saith) the sum of three Thousand pounds Lawfull money; and therefore he brings this Suit (the said Joseph Miguel de S^{t} Juan having given Sufficient Bond to prosecute this Action to Effect and Satisfy such Damages Demands and Dues as the Adverse party shall Recover against him. Hereof fail not and make true Return of this Writ with your Doings thereon. Witness Our Trusty and well beloved Roger Wolcot Esq^{r} Governor of Our Colony of Connecticut in New England at Windsor in Our said Colony the Twenty Day of April in the Twenty Sixth Year of Our Reign Annoque Domini 1753

Which Writ of Replevin he the said Samuel Fitch afterwards to wit on the Twenty third Day of April last past did Tender to the said Governour, and prayed him to allow the said Writ, and to Seal or Order the same to be Sealed with the Seal of the Colony of Connecticut, which Writ notwithstanding, his Honour the said Governor did not Seal, but Declared that he would Write to the said Joseph Hull Collector as aforesaid desiring him to Deliver the said Goods, and Merchandizes to the said Joseph Miguel de S^{t} Juan or his Agents, and further Declared that if upon the delivery of such a Letter to the said Joseph Hull he should refuse to deliver the said Goods, he Would afterward Grant a Writ of Replevin as was Desired, which Letter he the said Joseph Mig^{l} de S^{t} Juan does belive was written and delivered to the said Joseph Hull, Yet notwithstanding he the said Joseph Hull hath delayed and Refused to Delivere the said Goods and Merchandizes.

And the said Joseph Mig^{l} de S^{t} Juan further saith, that in Order to prevent all pretences of Delay in the Delivery of the said Goods and Merchandizes, he on the Twenty third Day of April last past did put up public Advertisements in the words following to wit

Advertisement, If any Person has any demand on the Subscriber or on the snow S^{t} Joseph and S^{t} Helena, and her Cargo lately put into this Port, They are desired to send in their Accounts by Tomorrow Evening, to my Agents Mess^{rs} Henry Cuyler Jun^{r} and Henry Lane. New London April 23^{d} 1753. J'ph Mig^{l} de S^{t} Juan.

That the said Joseph Mig^{l} de S^{t} Juan and his Agents Continued at New London five Days after the said Advertisements were Set up, but no person whatsoever brought in to them or either of them any Demand that they had for or on account of any Services done relating to the said Snow or Cargo. That on the Twenty fourth day of April, the said Joseph Hull also Set up Public Advertisements in the words following to wit. Advertisement. This is to Notify all persons that have any Demands upon Me the Subscriber, as Collector of his Majestys Customs for the Port of New London, for any Service Done in aiding or Assisting the Spanish Snow S^{t} Joseph and St Helena in her late Distress upon a Reef of Rocks, near the port aforesaid, that they bring in their accounts as soon as may be to me, in Order for Settlement. New London April 24th Anno Domini 1753 Jos. Hull Coll^{r}.

That there were not, to the Knowledge or belief of the said Joseph Mig^{l} de S^{t} Juan after the last Advertisements any demands made either of himself or his Agents, or the said Joseph Hull, nor doth he know of any that Could be justly made of either of them, for the Causes aforesaid, and further Saith that they the said Henry Cuyler Jun^{r} and Henry Lane, did then Demand of the said Joseph Hull a Register for the Ship Called the Nebuchadnezar, which they had bought, and had Chartered to him the said Joseph Mig^{l} de S^{t} Juan to Carry his Effects, Wares and Mechandizes before mentioned to Old Spain, who said that he had

no Registers in his keeping, but that they must Apply to the said Gurdon Saltonstall who kept the Registers for the said Governor. That upon Application to him the said, that he would Grant no Register. And the said Joseph Mig^{l} de S^{t} Juan further saith, that the said Ship doth now lie in the Harbour of New London, and hath Lain upon Agreement for demurrage at five pounds Sterling money for Every day, from the first Day of May Instant. And the said Joseph Mig^{l} de S^{t} Juan further saith, that on the Twenty Seventh day of April he demanded of the said Joseph Hull Collector of the said Port Three Chests of Silver, or Six thousand Dollars, which he the said Joseph Mig^{l} de S^{t} Juan told the said Collector was to pay his Officers for Wages; which Demand was made in the Presence of Don Christophel de Urranaga, Captain, Don Domingo Serondo, Second Captain, Don Juan Antonio Linnares Secretary, Don Antonio Castro Surgeon, Antonio Vivas Boatswain, Officers that had belonged to the said Snow, and Also in the presence of Aaron Cardoso and Abraham Cordoso his Interpreters, and Samuel Fitch Esq^{r} his Attorney At Law; which Demand he the said Joseph Hull Absolutely Refused to Grant, Or to Deliver to the said Joseph Mig^{l} de S^{t} Juan the said money, or any part thereof. That thereupon the said Joseph Mig^{l} de S^{t} Juan by the said Said Samuel Fitch his Attorney on the same day demanded of the said Collector to Deliver the whole Cargo of the said Snow then in his Custody, on which he Refused to give any Answer, upon which the said Collector was told by the said Samuel Fitch that he must be Answerable for all future Charges occasioned by this delay. That the said Joseph Hull would not deliver the said Goods and Merchandizes, nor Grant a Register to his said Agents according to the Laws in such Cases used, but then did and still doth Refuse to Deliver and Grant the same, And the said Governer of Connecticut hath delayed to Grant such Replevin as the said Joseph Mig^{l} De S^{t} Juan in manner aforesaid hath prayed, and Absolutely Refuseth to Grant such Replevin, on pretence That he hath the sole Right by Virtue of the Advice of the Council of the said Colony to

Constitute and Appoint an Agent for the said Joseph Mig[l] de S[t] Juan, and the Owners of his said Cargo, And that he the said Joseph Mig[l] De S[t] Juan hath no Right to Intermeddle with, nor any Authority or power to Transact the Affairs by himself or by his Agents by him Constituted and Appointed, Whereas he the said Joseph Mig[l] de S[t] Juan, is advised that by the Law of Nations the Right Given to him in Spain, before Recited, Could not by his Arival at the Port of New London within the Colony of Connecticut be in any measure Lessen'd or Abriged, much Less could the said Governor and Council of the Colony of Connecticut, wholely take away and make Void his said Power, But that on the Contrary it is the Duty of the said Governor and Council to Protect the said Joseph Mig[l] de S[t] Juan in the Exercise of the said Power, and to Grant to him the Benefit of the Laws of the said Colony, for the Protection of his said Right, and by no means to Suffer him to be hindered or Obstructed in the Exercise and Enjoyment of such Right, to Transact his Own Affairs by himself or his Agents as aforesaid. Wherefore the said Joseph Mig[l] de S[t] Juan by these Presents, Doth Solemnly Protest against the said Governor and Council of the said Colony of Connecticut, and against all the Powers and Authorities of the said Government, and all persons Subject to the Laws thereof, And against the said Joseph Hull Collector of the said Port of New London, and the said Gurdon Saltonstall Esq[r], and the said Richard Durfy, and all other persons, who have been any ways Concerned in the Hindrance or Delay of him the said Joseph Mig[l] de S[t] Juan in the free and full Exercise of his Right, power and Authority to Transact all Affairs Relating to the said Snow and the Goods and Merchandizes that have been Imported at New London in the said Colony of Connecticut, for all Damages in the Quality and Quantity of the said Goods and Merchandizes, That the Same Goods have Suffered or shall Suffer by the Detention thereof, and for all the Interest of the Value of the Said Cargo during the time that the same hath been or shall be Detained from him, and for all Losses and Damages that have arisen or shall arise,

on the several Policies of Insurance of the said Cargo, by any Person or Persons that are Interested therein, and for all Demurrage now due, or that Shall be due on the Charter of the said Ship lying in the Harbour of New London, that has been Chartered as aforesaid to Carry the said Goods and Merchandizes to Old Spain, and for all the Losses, Costs, and Expences of him the said Joseph Mig^{l} de S^{t} Juan, which they have been or shall be put to in Order for the Recovery of the same Goods and Merchandizes, or the Value thereof. done in the Province of New York on the day of June in the Year of Our Lord one thousand Seven hundred and fifty three. The words (his) (Master &) (weight) (neat) (like weight) on the first Sheet: And the words (Milk) (dollars) on the Second Sheet And the words (what Else could be) (the said) (Gardiner) (before) on the third Sheet And the words (accepted of) on the fifth Sheet, and the words (s^{d}) (s^{d}) (along side) (a Pirate) on the Sixth Sheet, The words (answered) (To) (&) (the) (the wind bing fair) (him) on the Seventh Sheet, & The words (as) (them) (thereon) (said) (then) on the Eighth Sheet, the word (not) on the Tenth Sheet, The words (said) (called the) (the) on the Eleventh Sheet, and the words (again) (his Account as follows) on the Twelfth Sheet, The words (the said Cargo is) on the thirteenth sheet, the words (&) (the same) on the fourteenth Sheet, & The words (that) (said) (according) (that) (he) on the Sixteenth Sheet, being Interlined before the above Deposition was made and Sworn. And the Razures between the word (Port) and the word (of) on the fourth line of the first Sheet, Between the words (these) and (who) and between the words (him) and (answered) on the Sixteenth line of the fourth Sheet, Between the words (about) and (Twenty) on the Sixth Line of the Sixth Sheet, Between the words (on) and (Account) on the Eleventh line of the Eighth Sheet, Between the words (Sixty) and (Seven), and between the word (as) and (under) on the Twenty Second line of the ninth Sheet, Between the words (said) and (Collector) on the Twenty Second line of the Tenth Sheet, Between the words (his) and (Deputy) on the Twenty Eighth

line of the thirteenth Sheet being first made before the above Deposition was made and Sworn. The word (fourteen) on the first Sheet, (One) (wrought) on the Second Sheet, (Turn) on the third Sheet, (James) on the fourth Sheet (Transmit) on the Seventh Sheet (Into) and (repaired) on the Eighth Sheet, (Twentieth) (March) (for) on the ninth Sheet, (Anchers) (in) on the Eleventh Sheet (Joseph) (Joseph) (1¼) on the Twelfth Sheet, and (with) on the fourteenth Sheet, being written on Razures before the above deposition was Signed and Sworn.

JPH MIGUEL DE ST JUAN

NEW YORK June 7th 1753

Memorandum this Eighth Day of June in the Year of Our Lord one thousa[ ] Seven hundred and fifty three Appear'd before me Edward Holland Esqr Mayor of the City of New York and one of his Majesty's Council for the Province of New York Joseph Migl de St Juan who being duly sworn Saith, that the Matters of fact by him declared in the preceding Declaration and Protestation as of his own knowledge and as his own proper Act and deed, are true, as they are therein declared, and that those matters of Fact which are therein Declared, to be the sayings and doings of other Persons he doth verily believe to be true and doubts not but he shall be able to prove them to be true in Manner and form as is therein above set forth. to which Declaration and Protestation Contained in Eighteen Sheets he hath Subscribed his own Name in his proper hand Writing at the Bottom of Every Sheet In Testimony Whereof I the said Mayor have hereunto Subscribed my Name and Cau[ ] my seal of office of Mayoralty of the City of N[ ]

* * * * * * * * * *

[Indorsed] Don Joseph Migu[ ] Protest agt the C[ ] and all others concer[ ] Spanish Snow St Joseph [ ] Made at New York 7 & 8th June 1753

REASONS IN BEHALF OF THE COLONY OF CONNECTICUT.

It is Humbly desired that the Colony of Connecticutt may be [ ] out of the Bill to Regulate & restrain Paper Bills of Credit in the four New England Colonies or Plantations for the following Reasons Viz^{t}

For that they were not petitioned against by the Merchants of London originally in their Petition now depending in this House which occasioned the Bill to be brought in.

That the said Colony of Connecticutt had not at any time postponed the time of payment fixed for the calling in any of the Bills emitted.

That they have never issued any quantity of Bills of Credit in proportion to what have been emitted in the other New England Colonies.

That the whole of their paper Bills of Credit in a manner has been emitted since the last War with France Com̄enced, & the most of it for the two Expeditions agst Cape Breton & Canada.

That they are so far from any disposition to Postpone the time fixed for the calling in & Sinking those Bills, that on the contrary they have shortned the Time & fixed the Period of 1753 for the calling in & burning every outstanding Bill.

They have by an Act of Assembly in May 1749 Appropriated all the Money granted them by Parliament (to the amount of £28000 & upwards Sterling for the Reimbursement of their Expences in the Louisburg Expedition) for the purpose of calling in & Sinking those Bills & at the same time laid a Tax on the people to call in the remainder which is to be paid in, in the three Successive Years of 51, 52 & 53 by which Periods all this Colonys outstanding Bills are to be destroyed.

Whereby it is Evident they have done as much as any prudent People could do for the putting an End to their paper Money & therefore it is Humbly hoped there can be no Reason for extending the Act to the Colony of Connecticutt.

[Indorsed] Reasons in behalf of the Colony of Connecticutt.

RICHARD PARTRIDGE TO ROGER WOLCOTT.

London 6 mo: or June the 9th 1753

Govr Wolcott

I wrote thee my last of 4th mo: or April 21st last via Rhode Island — since which I have not recd any of thy favours — this may now acquaint thee that the Parliamt broke up the 7th Inst. upon which the King deliverd his Speech from the Throne which being printed I send it thee here inclosed — there has been nothing concluded on this Sessions respecting our Northern Colonies.

As to the Affair I wrote thee off concerning the Sugar Refiners Petition to the House of Commons, after they had made some progress therein, it was put off without coming into any Resolutions thereupon; but whether they will take it up again next Year is uncertain.

The Matter relating to the Mohegan Indians remains just as it did without any further progress which I intend to be watchful about.

I have now paid all thy Bills drawn on me that are yet come to hand viz

To the order of Saml Talcott	£ 160	o	o
Do of Do Talcott	40	o	o
Do of Rd Alsop	530	13	o
Do of Timo Jones	673	2	o
Do of D. & I. Lothrop	257	o	o
Do of Do Lothrop	141	6	6
	£1802	1	6

I am with due respects Thy assured Friend

RD PARTRIDGE

duplicate

I have sent ℔ this Conveyance to my Correspondt Andr Oliver Esqr some News Papers & a Magazine for last mo: of which I desire thy acceptance

[Superscribed] To Roger Wolcott Esqr Governour of the Colony of Connecticutt Windsor via Philadelphia ℔ Capt Shirley

[Indorsed] From the Agent June 9th 1753

JOSEPH COWLEY TO ROGER WOLCOTT.

NEWPORT 19th June 1753

Sir

I did my self the honr to write yor honr 16th April last, to wch beg leave to referr. yesterday I talked with Coll: Saltaston on the affair wch gave Motive to that Letter, & he tells me it was agreed that the Spa Mercht Should pay the 20 Dollars, and that I must look to Mr McKensie for the remaining Eighty. All wch is New to me, & I humbly Conceive that the Order wch yor honr gave in my favour (Copy of wch I have by me) makes it needless & even prevents my making Application to any One else for my pay than Your honr.

I am told the jew Who Succeeded me has made more than One thousand Dollars & I doubt not but I could have done the Same would My principals ℔mit me to Interpret as it best Suits my Employers Interest, but I thank God I ever have & Shall Continue my Endeavours to imitate yor honr in justice & Integrity. And I think its great pity that that practice Should not meet with a reasonable reward When the Contrary is paid So much More than What I would pretend to Ask. & with humble Submission it will be deem'd by All judicious Men in the World that I have a right to demand the Sum at least Agreed for Was it One thousand Dollars & Consequently as the Sum I ask is so farr from being an exhorbitant price that it would by them also be deem'd too Small a reward for Such An Affair Attended with Such Circumstances cannot but believe my Self hard used if I am not paid at least One hundred Dollars. And as yor honr was pleased to Say by writing that you was bound in honr to See me well rewarded, it would be an insult to yr honrs well Merrited Good Caracter for me to endeavr for my pay elsewhere, had I any ground for it Wherefore be pleased Sir to ℔mit me to Once more Acqt yor honr that I rely on yor honr for the Compliance of my reasonable request of being rewarded Agreeable to the tenour of the Agreemt & yor honrs Engagemt Which the Spa Mercht

promised to Abide by & am with great Submission
Sir yor honrs Most Obeyt &
Very humle Servt
JOSEPH COWLEY

The honble Rogar Wolcut Esqr
[Indorsed] From Joseph Cowley June 19 1753

ROGER WOLCOTT TO ANDREW McKENZIE.

Windsor June 20 1753

Sr

you haveing made it appear to me that the owners of the Spanish Snow St Joseph and St Helena have desired you to refitt said Snow or freight a vessell and send the Cargo to them in Spain

Now that this afair may be Done with safety and Dispatch

I do hereby Apoint and Impower you to be my Agent to refitt sd Snow or Charter another Vessell and to receive of the Colector of the Customes in the port of New London the Cargo and Efects brought in by sd Snow into the sd port belonging to the owners after all Lawfull Costs and Charges are paid or security Given for the payment of them According to Law and to send such vessell and the Efect to the owners in Spain according to the orders of the owners to you Given

Given under my hand and seall in Windsor the Day of the Date above sd

R WOLCOTT Govr

To Mr Andrew McKenzie In New London Mercht

ROGER WOLCOTT TO JOSEPH HULL.

Windsor June 20 1753

Sr

It would have freed me from a Great Deall of Embarrassment if the Spanish Mercht Don Joseph had Improved my Agency to Collo Saltonstall and Mr McKinzie to Charter

a vessell for Transporting to Spain to the owners there the Company and Cargo brought into the port of New London in the Snow S^{t} Joseph and S^{t} Helena: if this provission had been attended I suposs many thousand pounds Charge would have been prevented and the Spaniards and their Efect had long since been safe at Home

But this my Care has not been secconded and now M^{r} M^{c}Kinzie has showed me that the owners of the s^{d} Snow and Cargo have desired and Direted him to refitt the 2^{d} Snow or freight a vessell and send the Cargo to them in Spain Without delay

upon this I have apointed him my Agent for that purposs. as he will show you but he tells me fears you will not deliver him the Goods without my possitive ord[ ] you being of opinion that you held the Goods in Custody by an order from me if so this must be your Mistake for it is the statute only Gives you the Custody of the Goods Indeed on the 18th of Dec^{r} past I sent you an order to protect the Goods safely for the owners from the violence of the people but this was but to join my power with yours for the more safe keeping the Goods from Spoill and Embezlement and not to Assume any Right in my self to hold or have the Custody of the Goods, but to prevent any further Mistakes I do hereby revoke all orders that I have Given or may be suposed to have Given to Lay any restraint upon you for the Keeping or Delivering the s^{d} Goods according to Law

I make no doubt M^{r} M^{c}Kenzies order from the owners ar Genuine and hope he will meet with no Dificulty from you and that thereupon all will prove well and very Gratefull to me who am your Very Humb^{le} Serv^{t}

R WOLCOTT

[Indorsed by Wolcott] My Letter to M^{r} Hull June 20 1752*

*A slip of the pen for 1753.

ROGER WOLCOTT TO JOSEPH MIGUEL DE ST. JUAN.

WINDSOR June 21st A D 1753

Sir

By this I acknowledge your favour of the 13th instant with the Papers you sent in this important Case it would have been a favour to Me to have time to advise with my Councill before I sent you my Answer but Mr Champbell who brought yours tells me his orders are not to wait and yet expects that I will give you my answer in writing this puts me under a Necessity to Omit writing or writing without due time to consider. But as you expect my Answer and I have hertofore done every thing to oblige you I must submit though with some regret that I am so Shortened in time and when you come to peruse it I hope you will make Allowance for the hurry in which it was done. In your Protestation you complain of Injury and unjust Delay given you in the Affair of the Snow St Joseph and St Helena and her Cargo. The Delay that has been given you has been very affecting to me fearing there might be wrong done you in it but then I expected you would have said I had done every thing in my Power to prevent it you are certainly knowing that the first Moment I heard you were in Distress I gave orders for the Safety and Confort of your Persons and to Save the Snow and Cargo then in Danger and that when I heard the Goods were like to be embezeled at New London I took a Journey of fifty miles in the middle of Winter to prevent it where I examined into the Case and gave you the best Evidence I could that your coming into the Port of New London was lawfull On your Desire I ordered the Collector to take an Inventory of the Cargo to be left with myself the Collector and with you on your Desire I appointed Ship Carpenters to View the Snow and Report if She might be refitted I also gave orders to the Collector to See that the Cargo was Safely secured for the owners and appointed Colonell Saltonstall to Charter a Vessell for your Return you were then pleased to approve what I had done and Render me your Thanks for it But now allthough you find no fault with me with Respect to what was done re-

lating to the Salvage and indeed I had no Concern in it yet you complain I denied to appoint Mr Cuyler and Mr Lane my Agents I refused and that when Mr Samuell Fitch came to me in your Name for a Replevin of the Goods I told him I would write to the Collector to Deliver the Goods to yourself or Agents and that if thereupon the Goods were not deliverd I would grant a Replevin as desired that you believe the Letter was Writ and delivered to the Collector butt the Goods Still detained and that I have delayed to grant a Replevin. When you made Application to me to appoint Mr Cuyler and Lane my Agents I told you I had appointed Colonell Saltonstall already and if you did Object against his faithfulness or Sufficiency I would remove him and you objected Nothing yet I met the Councill upon it who were of the Opinion that if you had Nothing to Object against the Person appointed you had No Reason to complain. Mr Hull was the Kings Officer and the Goods were by Law in in his Hands to answer for the Salvage and preserve them for the Owners and to Replevin them out of his Hands till I had Evidence he unjustly detained them would be a Step too far I therefore gave my Letter to Mr Fitch to Mr Hull to let him know that since the Time was so far advanced unless he delivered you the Goods upon your Demand I should grant a Replevin and told Mr Fitch that when he came for a Replevin he must bring the Evidence the Goods had been demanded and yet detained and upon this I would grant a Replevin but I never heard any further Motion upon it I observed further that you say that the Governor of Connecticutt hath delayed and absolutely refused to grant such Replevin on Pretence that he hath sole Right to grant an Agent for you and that you have no Right nor Authority to entermeddle nor transact in the affairs by yourself or Agents. Here Sir I must beg leave to correct you in Matters of fact how can it possibly be true that I absolutely refused to grant a Replevin when I had promised to grant it as soon as I had Evidence you had demanded the Goods and they were refused you or how can it possibly be true that I pretended you had no Right to transact in the affair or appoint

your Agents when I promised upon receiving Evidence that if the Goods were not delivered upon your Demand I would grant you a Replevin to put them into your Hands it seems to me these two things are as much the reverse of one another as things can be. Having thus sett the matter in its true Light, I hope you will wave your Protest against this Government and if in any thing I can be of Service to hasten your Return Home with the Cargo you may Command

Sir Your Very humble Servant
R WOLCOTT

To Joseph Migll St Juan
[Indorsed] To Don Joseph D Migll June 21 1753

BENNING WENTWORTH TO ROGER WOLCOTT.

Portsmouth June 25th 1753

Sir,

From some irregularity in the Post office, or by some other Accident, your Honours letter of the 5th of Febv last, was detained, until your Election was past, so that the Matters you therein Refer to have Remained unanswered until now.

your Honours Care in directing my Commission to be entered on your public Records, shows your Zeal for His Majestys Service, & that no prejudice may arise to the Service for want thereof, I esteemed it Necessary.

I am hopeing mr Blake will give no unnecessary trouble in your Colony, & what is necessary in Support of the Kings interest I must desire your Honours Countenance & assistance in.

There are no Acts of parliament, relating the Kings woods, passed Since that in the Second year of His present Majestys Reign, which expressly forbids the Cutting any white pine trees after 29th Sepr 1729 in any of His Majestys plantations. Except Such as are the property of private persons only, and nothing is lookt upon as private property, but Lands under Actual improvement & Inclosures, so that

the grants made in Your Colony in the Year 1686 cannot defend the trespassers in the Court of Vice Admiralty

upon the application I made, I hope your General assembly have appointed an Advocate, & that Sufficient power is Vested in Your Honour to assist me & my officers in the Execution of our duty; and as the Advocate must be a Gentleman of the Law, it will be needless for me to take up any of your Honours time in pointing his duty.

I must trouble, you a little Further, upon the Complaint of Mr Blake one of my officers, who Represents that one Daniel Whitmore of Middletown, when the said Blake was in the Execution of his office, was Seized by the Said Whitmore, & thrown into a Mill pond, whereby he was in great danger of being drowned, these are offences of a dangerous Nature, & upon a due Representation thereof by me to His Majesty may be injurious to your Colony. I am therefore hopeing your Honour will think it worthy inquireing after, if the fact is proved, that the offender be brought to Such punishment as his crime deserves — for as long as Mr Blake Continues my officer I must Sustain him in the Lawfull Execution of his office. I am with great Respect

Sir your honours

most obedt hum Servt

B WENTWORTH

[Indorsed] From Govr Wentworth June 25 1753 Recd July 4th

DANIEL BLAKE'S INSTRUCTIONS.

Province of New Hampshire

To Mr Daniel Blake Addishonal Instructions for said Blakes Government & Direction in preserving His Majestes woods you are to libel all loggs masts & other timber in the Surveyor Generals name you are to seize all Mastes loggs & other Timber of white pine tho' Cut in any other Goverment that you find within the Goverment of Connect & the penalty is the same for moveing ading & asisting theirto

as if Cut in the Coleny of Connect & you may secure & move any mastes loggs &c of white pine after siesure to some place of safty and if the Govener dos note afford you aid you may Call into youer assistance any other persons that will Joyn with you who shall have a Resonable satisfaction made them for ther time out of the Condemned timber

Given at Portsmouth June 26 1753

B Wentworth

[Indorsed] Copy of Instructions to Dan[ll] Blake from Surveyer Gen[l]

EARL OF HOLDERNESS TO COLONY OF CONNECTICUT.

Whitehall 28th June 1753.

Gentlemen.

I am to acquaint you that it is The King's Pleasure, that the Arms and Military Stores, which were made use of, upon the intended Expedition against Canada, & which were returned, by His Maty's Order, when the Troops were dismissed that Service, & are now lying in Connecticut, under your Care, should be forthwith transmitted to Governor Shirley at Massachusets Bay, to be ready for such Services as His Majesty shall hereafter be pleased to direct.

I am Gentlemen
Your most obedient
Humble Servant
HOLDERNESSE

Governor & Company of Connecticut.

[Indorsed] From Lord Holderness June 28 1753

JOSEPH HULL TO ROGER WOLCOTT.

Hon[d] S[r]

I am favoured with yours of the 25th June past, & should willingly have waited on you & Council at Hartford, if the business of my office would have permitted, however as I have Imployed M[r] Richards who goes on my acco[t] it may do as well, I have likewise sent by him my Book of

Rates, together with Copy's of some Letters, all that I think may be needfull on the occasion, & am

Yor Honrs
Most Humble Servt
JOS. HULL

Cust. House N. Londn 2d July 1753.

To the Honble Roger Wolcott Esqr Govr &c Connecticut

[Indorsed] From the Colector July 2 1753

ROGER WOLCOTT TO ANDREW McKENZIE.

Sr

You haveing Laid before me Two Letters one Dated ye 17th of Feby the other ye 3d of March Last both Sign'd by Rogue & Antonio Aguado Merchants at Cadiz Signifying to you that they are owners of the Spanish Snow Calld ye St Joseph & St Helena Lately Arrived at the Harbour of New London in Distress & further Signifying to you there good Liking of your Conduct Relateing to ye sd Snow & Cargo after her arrival at Sd Harbour & desireing the Continuance of your further Service in that affair & that you Would Assist Don Joseph Migl De St Juan the Merchant & Supercargo of Sd Snow that he may Return home with ye Sd Vessell & Cargo with the utmost Expedition or in Chartering a vessell &c in Case ye Sd Snow was unfit for Sd Purposs

I do therefore Appoint you an Agent to do & Transact any manner of thing within this Goverment necessary to Effect ye Will & Pleasure of the Sd owners Signified to you as above Sd that they may with all Possible Dispach be Possess'd of the Sd Cargo allready much Too Long delay'd & you are forthwith to Inform Don Joseph aforesd of this Appointment & desire his spedy Return to New London to do what is Proper for him as ye Merchant &c to Effect the Purpose aforesd & that you Certify Such Notice to me & his Answer thereto as Soon as the Same Can Conveniently be done Dated at Hartford this 4th day of July A. D. 1753

ROGER WOLCOTT Govr

To Mr Andw McKenzie Mercht In New Londo

Vera Copia

[Indorsed] My Agent Mr McKinzie July 4 1753

PROCLAMATION BY ROGER WOLCOTT.

O Whereas it Appears to me Roger Wolcott Esq^{r} Governour of His Majesties Colony of Conecticutt in New England in America That His Majestie has been pleased by his Royall Warrant Bearing Date the 12th Day of December 1743 in the seventeenth year of his Reigne to Constitute and Apoint His Excellency Benin Wentworth Esq^{r} His Majesties Gov^{r} of New Hamshire to be survyor Generall of all the Woods Within the Colonys and plantations in America And Whereas the sd Benin Wentworth Esq^{r} hath signifyed his desire to mee that I Would Issue My Warrant to the proper officers in this Colony to Do What may be Neccesary on their part for the Assistance of Himself and his Deputy surveyors in the Execution of their office

I Do hereby Require all His Majesties Justices of the peace sherefs and Deputy sherefs within this Colony that at the Costs of the said Benin Wentworth or his Deputy surveyors they Give all Neccessary Assistance to the said Benin Wentworth Esq^{r} his Deputy or Deputys in the Due Execution of their office Agreable to the severall Acts of Parliament Relating to the same that so His Majesties Royall pleasure for the preservation of His Woods Within this Colony and prevention of Wast and spoill thereof may be Rendered Efectuall and for Which this shall be your suficient Warant Given under my Hand and seale in Windsor this sixth day of July 1753 in the 27th year of His Majesties Reigne

ROGER WOLCOTT TO BENJAMIN AVERY.

Windsor July 29 1753

S^{r}

In mine to you of the 7th february last I Accknowledged yours of oct^{o} 16th with your Acc^{t} and since have recd yours of the 14th of Aprill

your letter of oct^{o} 16th with your Acc^{t} I Laid before the Asembly in May who Accepted and well aproved thereof

but Nothing was done to Enable Mr Partridge to Give you a Discharge because the Councill were of opinion that when the Acct was Balanced it would be best for you to take your Discharge from the Asembly I hope this will give you no Concern

I here with send you an Acct of your Creditt as far as I know by which you will see the Acct is near Ballancd and I Expect Every day to be presented with a bill from the Comitee to Draw the Remainder When it is done you will please to send to mr Partridge to Adjust the Acct with you I have wrote to him to Attend you for this service and if I shall be found to have over Drawn you (which I hope I have not) that he will pay you or the purchasers of the bills the overplus

It is with the Greatest Gratitude I reflect on the many favors you have done for this Colony and particularly your Disposition to help us against that Wicked designe Mason is Carying on agt us may the Almighty abundantly recompence all into your Bosome and long Continue you a Benefactor to Mankind I am with Great Esteem

your Most obliged
very Humble servt
R WOLCOTT

To Dr Benjamin Avery

PETER BOURS TO ROGER WOLCOTT.

Newport July 30th 1753.

Sir,

I have been honoured with your Letter of the 22d of June and am quite disappointed in my Expectations relating to your Paper Currency, always concluding that I should either have a Sterlg Bill, Silver or Gold as specifyed in the Bills.

I have very lately had my eldest Son arrived here from London, Mr Partridge our Agent supplyed him with twenty three pounds Sterlg and has ordered me to repay that Sum

to Gideon Wanton Esq^{r} our late Governor in order that he may pay that with a much larger Sum he is to receive of some others to your Honour, I am in great Hopes that if You cannot favour me with Silver or Gold or a Bill on London for the Connecticutt Bills I have by me that you will be so good as to suffer M^{r} Wanton to receive the twenty three pounds Sterl^{g} in those Bills as you have regulated the Exchange with the Gentlemen of your Colony, the Occasion of my soliciting this is that there is no such Thing for me at present as to purchase Silver or Gold, for our Government at y^{e} issuing the last Bills of Credit, in order to keep up the Value of those Bills, stated Silver at 64^{s}/ ℔ Oz; Dollars at 56^{s}/ and Gold at about £48 ℔ Oz and obliged all Persons elected into Office to Swear that during the Operation of that Law, they would not give, take or settle Accounts for Silver or Gold at any higher Rates than as specifyed in that Act, and that no Execution should be granted unless the Party recovering Judgment took said Oath, the Consequence of which is that the chiefest Part, and indeed almost all the Silver or Gold that was in the Colony is banished, and what little remains, no one will part with as stated by the aforesaid Law, and therefore will not part with it at all (as indeed they cannot) in the Colony, so that a Man possessed of an hundred pounds old tenor cannot procure one Dollar, I hope under this and some other Considerations that I shall meet with no difficulty in this little affair.

Having Nothing further to communicate I conclude with wishing You the Smiles of divine Providence and assuring You that I am with great Veneration,

Your Honour's
Most Obedient and
most humble Servant
PETER BOURS

[Superscribed] To The Hon^{ble} Roger Woolcott Esq^{r} Governour of the Colony of Connecticutt

[Indorsed] From Peter Bours Esq^{r} July 30 1753

ROGER WOLCOTT TO BENJAMIN AVERY.

WINDSOR July 30 1753

Sr

I have perused the Copy you sent me of Mr Pundersons Letter to the society and find it is short pungent and persuasive (?) that there is such a spirit of persecution against the Chh in our Authority that if a man holds Comunion with the Chh of England Neither Age Nor Meritt Can excuse him from the whip unless he will Join with the Disentors

I dont wonder that men of the chief figure yea that all men that hear this representative should ask you What Acct you Can give of it and I flatter myself that your desire to be Indulged with time to be Informed of the facts was very Agreable to them for Wise and Good men alwaies desire to Censure According to the truth and are willing to wait a reasonable time to be informed of it upon receiving this Copy I was much surprized to find how much the facts had been misrepresented with us

It was universally talkt of that Justice Tiffany had sentenced John Pitts to be whipt Contrary to Law for not Coming to meeting and that it had like to have raised a Mob and that the people When they Could Not prevail with the Justice to Alter his sentence and take the fine which they tendered to pay put their Garments upon Pitts and bid the Executing officer use them tenderly which was done And for this Male Administration of the Justice the Asembly have since put him out of the Comission

But that he was a Conformist and stayed away out of Principles and had Determined not to Join with the Dissentors this account we have from Mr punderson alone

Ashford is a New town at the North East part of the Colony about 35 miles from me and that I might be Certain of the truth in the Case I sent an Express to Shuball Conant Esqr who is a Justice of the peace and Quorum for the County of Windham to Inform me of the facts so that I might depend upon it and he sent me the Enclosed Evidence

And thus haveing shewn you the facts as they are I submit it to you and all other men Whither Mr Punderson has represented the facts as they Are. And Whither he hath Dealt Ingenuously With us to represent the wrong Done to Pitts under the Generall name of the Authority since to know it was Contrary to Law and the Act of one Justice only and that universally declaimed against and whither a spirit of persecution in this Case appears Most in the Authority against the Chh or in Mr Punderson against the Authority

I assure you there is no spirit of persecution here against the Church we Bless God and the King that we are allowed to Worship according to our Consciences and are willing the Church and all other Protestants should have the same liberty. And the truth of this I think is Confirmed in that those that are the Most Industrious to put the Most Infamous term of persecution upon us Can pick up Nothing against us but such false and trifleing stuffe as this

The Law of the Colony is that all persons Attend the publick worship on the Lords day under the penalty of three shillings for Each offence unless hindered from some Lawfull Cause No presentment to be made but within a Month after the offence this Law is Not made for any particular sect the Churchmen Anabaptists &c have the same benefitt by it as others and No body is uneasie with it as I hear of unless Mr punderson

This Law is Not Disonant from the Law of England which obligeth all persons to Attend the public Worship on on the Lords day They have the like Law in the Province of the Massachusetts Which hath the Royall Aprobation or has been presented to the King and not Disaproved which According to their Charter is Equall to an Aprobation

This has been a Law with us from our begining and I hope has been a Good Means to promote Religion Nor Can I see any tincture of persecution in it since it has No respect in their Different Modes of Worship but only to oblige the Worst of men to know what the Christian Religion is and to be happy and to restrain them from profaning the sabath

It being owing to your Care that we have this Opertunity to speak for ourselves in this Case Lays us under the Greatest obligations of thankfullness for it which you will be pleased to Accept from

your Most obligd
Very Humble servt
R WOLCOTT

To Dr Benja Avery
[Indorsed] To Dr Benja Avery July 30 1753

ROGER WOLCOTT TO RICHARD PARTRIDGE.

Windsor July 30th 1753

Sr

There has hapend an Important afair in this Colony which brings a Demand upon us for near a Milion pieces of Eight The Case is

In November Last a Spanish Snow the St Joseph and St Helena with a rich Cargo Don Joseph De St Juan supercargo ran upon the Rocks near the port of New London the Efects Were partly taken out before I heard any thing of it upon Notice of it I gave orders for the saving of the Goods and Comfort of the Company and soon hearing there was a Neccessity of my being in Town to take further Care about it I took a tedious Journey of About fifty Miles to New London in mid winter to Give what further orders were needfull in this afair

When I Came to New London I was Informd of the unaccountable steps that had been taken in running the Snow on the Rocks after she had been at Ancher in the mouth of the Harbour fair before the Town and the Landing of the Goods which Gave so much suspicion of a Cleandestine design to ruin the Goods that I thought myself obliged to Examine into it which when I had done I aproved of What had been Done and took a Certifycate of the Colector that the Goods were in his hand apointed Carpenters to view the Snow and report there opinion upon it Apointed Collo Saltonstall my Agent Charter a Vessell

for their return home to Spain all which the supercargo and officers were thanfull for and well aproved

Soon after Judge Morris Came from New York and opend the Court of Vice Admiralty in New London and decred in favor of Capt Simpson for salvage the sum of twenty three Thousand Dolors and Costs

This decree the merchant protested against and not Long after went to New York and there Apointed Messrs Cuyler and Lane His Agents under Whose Direction and Conduct he hath been very much Ever since

On the 20th of June last he served mee With his Declaration and protestation a Copy of Which I send you herewith Enclosed

you will see It Contains an Acct of his afairs from his departure from the Havana setting forth severall facts It Complains of Injustice done him by my self Judge Morris the Colector of the Customs and some private persons And then specially Averrs that the Governour delayed and Absolutely refuseth to Grant him a Writt of Replevin under pretence that the Govr hath sole Right to Apoint an Agent for the Declarant and that the Declarant hath no Right to Intermedle with or Transact his own afairs by himself or by Agent whereas by the Law of Nations it is the Duty of the Goverr to protect him in his Right

And then protests against the Governour and Councill and Government of Conecticutt Against the Colector Gurdon Saltonstall and Richard Durfey &c for all loses Costs and Damages as by the Declaration and protestaton more fully Appears to Which I refer you

Here it will not be proper for me to Excuse Judge Morris or the Colector their Comissions being Independent on this Government we Cant be Accountable for there Administrations

The like may be said of the Misbehaviour of private persons since the Governmt has provided Laws to protect all persons and their Estates and Apointd Judges to Administer Right to all the Government Can suffer no blame till Complaint is made to Authority for Justice and None is

done but there is no hint that any thing of this Nature was done

I shall therefore Confine my self to What is Charged upon the Govr or Govr and Councill Which are the only things that Can Efect us And the following facts are the only things Charged agt us

That on the 13th day of March 1753 Mr Samll Fitch Attorney to the supercargor desired the Governour to order the Colector to Deliver the remaining part of the Cargo after all Charge was paid which he refused

When I was at New London in December I made out an order in Councill full to this purposs and had no Law to force the Goods out of the Colectors hands but by a writt of replevin which I alwaies stood ready to Grant

That on the 31st day of March the super Cargo presented his petition to the Goverr showing that he himself had apointed Messr Cuyler and Lane to be his Agents and therefore prayed the Govr to Apoint the same persons to be his Agent to Charter a Vessell for their return which he refused

Every Agent is in trust for his Constituent and Can do no more than the Constituent himself Could do therefore he hath as much Right to Nominate his Agent as he hath to Act himself

And I am advised that the power given to the Governours to Apoint an Agent in these Cases is a trust reposed in him specially to prevent the British ships from being put over into the Hands of forreigners. But if the Governours are obliged to Apoint such persons as the forreigner shall nominate Every forreigner that has a mind to have a good British ship may Come into a port with a Crazy vessell that he Knows will be Condemned and having found a man for his purposs may Nominate him to the Goverr and must have him apointd and by that means may be sure to Answer his End In this Case I Knew Collo Saltonstall to be a man of Honour that I Could trust but Messrs Cuyler and Lane were utter strangers to mee

That on the 23d of Aprill 1753 Samll Fitch Esqr at the request of the Agents went to the Goverr and presented him with a form for a writt of Replevin and Desired him to seall it or Cause it to be sealld that notwithstanding the Govr did not seall it but said he would write to the Colector to Deliver the Goods and that if the Goods were not Deliverd upon such letter he would Grant a Replevin as desired

you will observe there is Nothing here said that Mr Fitch desired mee to seall the writt at that time or that he tenderd mee any bail for protection nor was it fact

Mr Fitch Asked mee if I would Grant a writt of Replevin and if I would what baill they must provide

I told him I would Grant the writt and what bail I should Expect and as he was then returning to New London I would send a Letter by him to the Colector Advising him to Deliver the goods or a Replevin Would be Granted accordingly I sent the letter by him and Expected the Colector Would Deliver the Goods or that they would forthwith Come to me for a Replevin but I never heard any more from them till the 20th of June when they served me with their Declaration & These are all the facts I can find in the Declaration Complained of respecting my self and they seem to me not only Insuficient to support the Charge agt me in the government but so perfectly the reverse of it that I Can find no words to make it clearer:

but for as much as it is most Apparent there has been an unpresidented delay in this afair to the Great loss of the owners and all within the bounds of this Colony upon such a Grevious Complaint men may be apt to think at first sight the Government must be to blame until their eyes are turned to the reall Cause of is Lett mee offer this further Consideration

When I was at New London in December Every thing was provided that Could be provided for the speedy return of the Company and Cargo and my Agent Certainly offered the Merchant to Charter him any Vessell he should choose at any time when he desird it

But this the merchant did never accept of but went to New York and Apointed Messrs Cuyler and Lane his Agents whose Conduct has been very misterious and I think has accasioned the Delay

Mr Chew the Marshall that Executed Judge Morrises decree for twenty three thousand Dollors told me he offerd them that if they would tender money to the Execution his fees which I think were 2½ per cent would be saved but this Could not be Complyed with and the Indigo was sold to satisfy the decree so the fees for Leviing were paid and the property of the Indego Converted to the Agents who bought it

Notwithstanding all their Complaints of delay they had provided no ship till the Later end of Aprill or begining of May and then they sent to me for a Replevin and were promised it at any time when they would Call Now their ship was ready and on Demurage the Cargo Might have been put into there hand every day when they pleased but what do they Do Never Come for the writt but go a way to New York leave their ship on Demurage and the Goods to perish to this day and hatch up a protest to make us pay for all I can Give no Account for this Conduct but sure it is that five pounds sterling Demurage per Diem in a years time will amont to 1825ll sterling this will pay for the ship and a round sum besides in the owners pockett

It is Evident that this is a Great profitt to the agents who are the owners to have this ship Ly on such Demurage in a safe Harbour and if this temptation is not the Cause of this delay I know not what is

Sr I think the Case is Clear but you see the Demand is Great I desire therefore you will watch it and if anything shall bear hard upon us which I Cant now forsee allow for us farther time to Answer and Lett us know what it is by which you will oblige

Your very Humble servt

R WOLCOTT

To Richd Partidge Esqr

ROGER WOLCOTT TO RICHARD PARTRIDGE.

WINDSOR July 30th 1753

Sr

I have Now Recd yours of Novemr 23d 1752 of feb 29th March 26 Aprill 14th 18th and 21st 1753 by Which I am informed that the letters I have sent you are Come to hand

I have also Recd the bills Drawn in my favor on Messrs Oliver Whiple and Wanton for the sum of £850 and shall Lay them before the Assembly at their Next sessions and shall take a pleasure to serve you in them but doubt it will Meet With some Dificulty The Asembly haveing already Apropriated the money to our own Inhabitants Who stand ready With their Money to purchase the bills and Will Complain much if they are Disapointed

I thankfully Accknowledge your service in Masons Afair and that of the sugar Islands and hope you will Continue your Utmost Endeavours to prevent our suffering by them

Mr Bolan Tells you it is best to setle the line between the two Governts by Agreement all other men are of the same mind but his Constituents. We have been Moveing and waiting upon them for this purpose Eighty years and Especially of Late but they Will Not so Much as write us an Answer to our Motion so this talk of Mr Bolans Appears Nothing but an Amusement Tis Easie to see that since we ask to have the line setled According to the Massachusets Charter they are sure to loose Nothing and designe to Leave the Labouring Oar in our hands to clear them of from the four Miles and fifty six rods they have Encroached upon us

It was by their Imposeing upon our Comissrs to Cede the Jurisdiction of the four Towns and Imposeing upon the Rideing Comissrs to begin the line att the wrong place that the Agreement of July 13th 1713 was defeated otherwise it had been setled

I herewith send you the Case and by the stating of it your Councill will find What Queries may be raised upon it and What Arguments we draw from the Exhibits The

Asembly have left it with you and your Councill in the Law Whither to wait the Motion of the Adverse party or bring it forward and in what manner I think the way you propose in stateing the Case to the Attorney Genr may be very proper

We have Near or Altogether Drawn the Money out of Dr Averies hands I have sent him an Acct of all the bills drawn upon him by Which it will appear how the Acct stands I desire you will meet with him when he shall desire it and Adjust the Acct with him and if you find I have overdrawn him I desire you will pay him or the purchassers of the bills if protested What is overdrawn and Charge the Acct on the Colony

The bills I have Lately drawn upon you for about £2000 I supose you have recd I desire you would send us your Whole Acct together by the first safe oportunity that I may be Informed for What sums I may draw upon you

I return you hearty thanks for the Prints and am

Sr your Most obliged

Very humble servt

R WOLCOTT

To Richard Partridge Esqr

CASE OF THE MASSACHUSETTS-CONNECTICUT BOUNDARY LINE.

A State of the Case in Controversie between the Province of the Massachusetts bay and the Colony of Conecticutt about the line Dividing between the two Governments

No 1 King Charles the first in fourth year of His Reigne Granted Letters Patent to Sr Henry Rosewell Sr John youngs &c and to their Associates of the Land lying in Latitude and breadth from three miles North from the Northermost part Merimack River to three English miles south of the southermost part of Charles River and in Longitude and length from the Atlantick on the East to the south sea. and the present patent to the Province as far as it bounds on Conecticutt is the same

N° 2 In the year 1636 the planters setled in Conecticutt formed themselves into a Governm^t and Granted and setled The Towns of Hartford Windsor and Weathersfield and stated the North bounds of Windsor at Kitle brook

N° 3 In the year 1637 The planters in Conecticutt Raised forces and Conquered the Pequotts which were then the Most powerfull nation of Indians in New England

N° 4 In the year 1640 the planters in Conecticutt purchased the Territories of the Mohegan Indians of Uncase their Sachem

N B From these three last Exhibits it apears that the planters in Conecticutt had then formed themselves into a Govern^t and that the Representation they made to King Charles the second 1662 was True which His Majestie Declares in the Charter had made an Enlargement to His Dominions and Gives as one reason for his Granting the Charter to Conecticutt

The Massachusetts pretend that in the year 1642 by their Apointment and Direction Woodward and Safry ran the south bounds of their Colony and began the line three English Miles south of the southermost part of Charles River according to the Direction of their Charter and Carryed it on to a Certain station on Conecticut River known by the Name of Bissells house which for many years they Acc^ts to be the Dividing line between the two Governments N°

N B Altho it must be Confest that under the Colour of this runing by Woodward and Safry the Massachusets have presumed to Grant about 160000 Acres of Land without their Charter and Within the bounds of Conecticutt yett it may be esteemed an Injustice done them to think they ever Acc^ted they had any bounds but those sett them in their Charter or that this runing of Woodward and Safry being solely an Act of their own Could alter or Establish their bounds the point is so clear that it seems impossible to beleive that these Gentlemen That have been Wise to a Miracle in all other afairs should not be able after seventy years hard strugle to find out this

And it is further Evident Certain they never bounded any of their Towns or Grants upon it that they never understood it for any other then a Colour to Cover their Encroachments upon us because that all the Complaints and motions from Coneticutt for the space of fifty years Could never prevaill with them to run the line till the year 1713 nor then till our Comissioners were forced to make them the most unreasonable Concessions in order to preserve the lives and peace of His Majesties subjects on the borders and then (as they Express it) they Condescended to run the line

N° 1662 King Charles the second Granted the Charter to Conecticut bounded north on the Massachusetts

N° Conecticutt Granted to the Town of Windsor which was about fourteen miles in breadth that their bounds should Extend two miles north from their old bounds 1671

N° 1685 Conecticutt Grants a Patent for Confirmation of the title to the Town of Windsor

N° about the year 1684 the Massachusetts Grants to the Towns of Sufield and to the Town of Endfield to Extend six miles in breadth south from the mouth of Longmeadow brook

N B These two Towns lap a mile and eight rods upon Windsor who had the prior Grant the Whole breadth of the Town No

some time after this there Arose a violent strife between the Inhabitants of Windsor and Endfield and Sufield to defend their Claimes to the Land N°

In the year 1702 M^r James Taylor from the Massachusetts and Comissio^s from Coneticutt made a tryall where the line Would run they first sett up their quadrant and took their observation at or not far from the Distance of three miles south of the southermost part of Charles River again they took their observation at Bisels house on Conecticutt River and found that not only the Towns of Windsor and Simsbury but also the Towns of Endfield Sufeild were to the south of the line N° N°

N B we have no report of the doings of M^r James Taylor under his hand and have often heard that when the Massachusetts saw where the line would fall they supressed it

N° 1708 the violence between the borderers Continuing Connecticut were again for setleing the line according to the Charters and after Comissioners on their part with power to setle the property at the borders according to the prior Grant N° but this was rejected by the Massachusetts

N B This was a Great Concession in Conecticutt for it was found by the tryall made by M^r Taylor &c 1702 that the Massachusetts had Granted near 160000 Acres of Land in Conecticutt and that Conecticutt had not Granted one acre North of the line yett for peace sake they make the offer and are rejected

N° In May 1713 the Gen^ll Asembly of Conecticutt being Informed that there was a Disposition in the Gov^t of the Massachusetts to setle the line by Comissioners and thereby put an End to strife

The Asembly Impowers the Gov^r and Councill to Apoint Com^rs on our part to meet and Treat with Comissioners from the province to fix the line and setle the property to the Lands Adjoining to it

here is no power Given or pretended to be Given to the Com^rs To Alter Jurisdiction or setle any other line but that set in the charters

N° The Comissioners meet at Boston and on the 13^th of July 1713 Draw up and signe their Agreement

N B At first view it apears surprizing that any mention should be made in the Agreement of the runing of Woodward and Safry

1 because it is Imposible the runing being the act but of one party should have any force to Alter or fix the line set in the Charters

2 because the Massachusetts never accounted it to be their line as appears in that they never bounded any of their Grants upon it nor Disturbed Windsor in the possession of their Lands to the North of it from the year 1636 to this year 1713 which makes 77 years

3 if any monument in this line had now been acc^ted to have any Governing Infulence in the line to be run it must be that famous and well known monument Bisells

house that being the only monument mentioned and by which alone the line of woodward and Safry Could be known

4 There Could be no occasion for mentioning Woodward and Safry station in this Agreement for if it stood as in the Agreement it is declared to do that is 3 miles south of the southermost part of Charles river according to the charter the station and the place sett in the Charter is the same and the place mentioned in the Charter Confines the station to it: why then was there any mention made of it

The Consequence has proved what the reason was That is

The Massachusetts had already made the pretension of this line a Colour for their Granting more than 160000 acres of Land in Conecticutt and for their usurping a Jurisdiction within our bounds than was Discovered by the tryal made by Mr Taylor &c 1702 but their Comissioners are now Contriving under a Colour of this station to have the line setled at another place that is seven mile and fifty six rods south of the southermost part of Charles river where they had our riding Comissioners and from whence they prevailed with them to run the line but this game they Dare not play off barefacd before our Comissioners who were resolved to begin the line right Therefore they first declare and Describe the station stands 3 miles south of the southermost part of Charles River and then agree to run from the station

But this piece of fraud will be of no service to them unless to shew how well they are versed in the Misterie of it for the place for the beginning of the line sett in the Charter and Described in this agreement being the same will undoubtedly prevaill to be the place whether there Can be any stakes found there or no

Here we may note the Great Concessions our Comissioners were obliged to in order to keep his Majesties subjects on the borders from destroying on another as

1 To Admitt a Colour that Windsor and Simsbury might fall north of the line and other Grants made by Conecticutt whereas by the Tryall made by Mr Taylor &c 1702 the Contrary was Evident

2 To Admitt the Colour that Woodstock had been Defended by the Massachusetts in time of War Whereas we Cant understand they Ever kept a Garason soldier in that town before it was alwaies far from the fronteers

3 to allow that all the Grants made by the Massachusetts in Conecticutt should be setled by the Grantees and accept an Equivolent far up the Country of the like quantity where the Land was of such small value that when we had Laid out 79785 acres of it it was all sold for 682ll New England Curency

4 To agree that their should be taken off from Windsor who had the prior Grant from Conecticutt a mile and Eight rods about fourteen miles in Length and Confirme it to Sufield and Endfield which were Granted by the Massachusetts afterwards

5 Their Cedeing the Jurisdiction of Woodstock Endfield and Sufield to the Massachusetts if found south of the line

Thus were they Crowded upon by our over Grown and Turbulent neighbours and to this they were forced to submitt to save the limbs and lives of His Majesties subjects on the borders but here it must be further noted

1 This Transferring the Jurisdiction of the 3 Towns from Conecticutt to the Massachusetts was only an Act of the Comissioners for the Doing whereof they had no power from their Constituents

2 If the two Governments had never so formally Given them this power it had been void for the King is the fountain of Authority and all the Jurisdiction that these Governments have they had by his Charter and have had no other and if they Can Transfer Jurisdiction they Can Exchange it or put all their Charters together and so Erect one Exorbitant and Dangerous Jurisdiction Contrary to the Mind of the King and the Care he hath taken to secure his own Government and the Good of his people this Can be no Jurisdiction from the King but is Contrary to it

1713 the Rideing Comissioners meet to run the line and ours are Carryed by the Comissrs from the Province to a

place south of Whitings pond on Wrentham plain att seven miles and fifty six poles Distant south from the southermost part of Charles River and told that there was Woodward and Safrys station and our Comiss^rs being utter strangers to the place were prevailed upon to run the line from thence without Examining the Distance from Charles River and from hence run the line due West to Conecticutt River and found that the Towns of Woodstock Endfield and part of Springfield with other Grant made by the Massachusetts to the quantity of 79785 acres in the whole on the East side of Conecticutt River were south of the line for which we have had an Equivolent Acres for Acres more than the on half of the which was taken up in the Province of New Hampshire

N B 1 the Report of the Riding Comissioners is not to be found but it apears from N°

2 the place where the Comiss^rs began this line was not the place sett in the Charter but four miles and fifty six poles south of it N°

3 it is not the place agreed to by the Comiss^rs July 13 1713 where there is only two things Given to Discribe it to us 1^st that it is 3 miles south of the southermost part of Charles River but this place on wrentham plain is seven Miles and fifty six poles to the south of it 2^ly that it stands due East from Bisells house but this place is More then ten miles to the North of such a line no

This begining the line on wrentham plain is only the Error of the Rideing Comissioners done without any order from Conecticutt Again if it be of any force it serves to Transfer the Jurisdiction from Conecticutt to the Massachusetts the space of four miles and fifty six pole for about the length of fifty miles therefore void if Conecticutt had pretended to Give them such power much more so when it was done only by their own Mistake and it Can serve to no other pretence but to put His Majesties subjects living on these Lands from under the protection of the Law for if Treason or Murther should be Comitted on these Lands and a Court Apointed by the Massachusetts should Condeme the ofender the officer putting the Judgment in Execution would make

Legall forfeiture of his life not being able to plead that the Case was within the Jurisdiction of the Court that Gave Judgment and it afords no other Argument but a necessity to have the line Legally setled which they will not Comply with

If it should be objected that the pond north of this place on wrentham plain being at the Head of Jacks brook that Empties itself into Charles River is a part of charles river

We observe

1 That the brooks that run into the Rivers are as realy diferent from the River as the drops of rain that fall into those brooks

2 That this pond and brook that runs from it into the River have alwaies been Called by other names and not part of the River No

3 The Massachusetts have their North bounds Discribed by three miles north of the northermost part of Merrimack River in the same manner that they have their south bounds described to be three miles south of the southermost part of Charles River and there they Gott into the same tremor to have their bounds Extend to the North of the streame where it was not Called Merrimack River but in a sute between them and the province of New Hampshire they were rubed (?) in it and Confined to the streame Called Merrimack River

N° It appears that the riding Comiss^rs running the line on the West side of Conecticut River found the Town of Sufield which is bounded North on Springfield part of the Town of Springfield and part of the Town of Westfield was south of the line in which was Contained 28008 acres of Land Granted by the Massachusets within the Colony of Conecticut for which we were rendered an Equivolent but have yett received no part thereof

N° The Comissioners from Conecticut moved that in makeing an Equivolent for the Lands Granted by the Massachusetts in the Colony of Conecticutt allowance should be made in Consideration of the Great Distance of these Lands Ly from Conecticutt this motion the Massachusetts Comiss^rs

Refer to be Considered by their Asembly but Nothing was Granted

N° The Inhabitants of the Towns of Woodstock Sufield Endfield and Somers prefer a Memorial to the Gen^{ll} Assembly of Conecticutt in May 1747 Declaring themselves to belong to Conecticutt

N B The Town of Somers was Lately made out of the Town of Endfield on the Eastern part of it

N° The Assembly apoint Com^{rs} to meet and treat with Comiss^{rs} from the province on this Afair and report to the Asembly what shall be offered by the Comiss^{rs} from the Province

N° In october 1747 the Inhabitants of the four Towns put in another Memorial to the Asembly shewing that they had moved to the Asembly of the Province to Apoint Comiss^{rs} on the Afair but Could not be heard

N° The Assembly again Apoint Comiss^{rs} to Join with Comiss^{rs} to be apointed by the Province to hear the Inhabitants and report to the two Governments their opinion what is Right in the Afair that Justice may be done to His Majesties subjects

N° The Inhabitants of the four towns again prefer their Memoriall to the Gen^{ll} Assembly of Conecticut in May 1748 shewing that those Towns are within the Charter Granted to Conecticut and that they have a right to the priviledges Granted in the Charter to this Government the Agreement of the Comissioners in 1713 Notwithstanding and that the repeated motions of this Colony to the province to setle this afair upon hearing the s^{d} Inhabitants had been rejected and that the Province had now resolved they Would Not Apoint Comiss^{rs} for that purpose: And that as they are within the Colony of Conecticutt and have a Right to the priviledges and protection of the Laws of it they pray they may be received Accknowledge and protected as such this motion was Continued to the sessions of the Assembly in May 1749 waiting to hear somthing from the Province that might Lead to a peaceable setlement

N° In May 1749 the Assembly of this Colony hearing no encouragement from the Province that they Would Come into a peaceable setlement Resolve and declare that the Inhabitants that are south of the south bounds of the province sett in their Charter as far as it Joins on Conecticutt are Within this Colony and have a right to the priviledges of it the Agreement of the Comissionrs 1713 Notwithstanding And apoint Comissrs to Join with Comissrs to be apointed by the province to run the line of Divission According to the Charters and then both Governments mutually to aply to His Majestie for a his Royall Confirmation of it

And further if this be not Complyed with to aply to His Majestie to Apoint Comissioners to run and fix the line according to Charters

N B since this the Inhabitants of the four Towns have been peaceably under the Government of Conecticutt

N° In 1750 The Asembly make the Province another offer to setle the line by Comissrs but to no purposs

on this Case we may observe

That the place for the south bounds of the Massachusetts set in their Charter is Clear and Express

That the south part of Charles River three English miles from which the line is to take its rise is so plain and obvious that no Disinterested mind Can raise a dispute about it

That the Good End of a peaceable setlement proposed in the year 1713 was defeated by their Insatiable Grasping after Jurisdiction and their supression of truth to the Riding Comissrs in matters of fact

That notwithstanding Conecticutt have never asked for any thing but Right to be determined by their own Charter yett they have refused and Kept us in a quarrell for ninety years in which time they have Granted and setled near two hundred thousand Acres of Land within the bound of this Colony

That notwithstanding our Comissrs in the year 1713 Ceded to their Grantees the property to all these Lands yet they refuse to setle the line of Jurisdiction with us according

to their own Charter and Continue to Asert their Government over the Inhabitants without the bounds of their own Charter and within the bounds of the Charter to Conecticutt

That from hence it appears they are obstinate and resolved to Asert their Government beyond their Charter and to tax try Condemne punish and put to death His Majesties subjects that are out of their Government without any Lawfull authority

from the Encroachments and opression of such an obstinate and over Grown Government we have no where to aply but to the King for releif and pray that his subjects may be preserved and protected in those rights and priviledges that His Royal Ancesstors have Graciously Granted to them and to this we are much encouraged in that the priviledges of his subjects have been dear to His Majestie throughout his Reigne and he hath Graciously Given Releif in the Case between the Massachusetts and province of New Hampshire and the Case of the Colony of Rhode Island on their East bounds with the province of the Massachusetts which two Cases were almost exactly similar with this*

[Indorsed] the state of the Case respecting the Line

The State of the Case of the Line between the Province of Massachusetts & Connecticut

CASE OF THE MASSACHUSETTS-CONNECTICUT BOUNDARY LINE.

A State of the case between the Province of the Massachusetts Bay & the Colony of Connecticut with respect to the dividing line between the two Governments.

King Charles the first in the 4th year of his reign, Granted Letters Patent to Sir Henry Roswell, Sir John Youngs &c and their Associates of the lands lying in latitude & breadth from three miles North of the Northernmost part of Merimack river to three miles South of the Southernmost part of Charles River, and in longitude and length thro' the main land from the Atlantic on the East to

*Apparently the writer of this document intended to number the important paragraphs, but failed to add the numbers.

the South Sea on the West, and their present patent as far as it bounds on Connecticut hath the same bounds.

In 1636 the Planters settled in Connecticut, & formed themselves into a Government & granted & settled the towns of Hartford & Windsor and Weathersfield, and stated the North bounds of Windsor at Kettle Brook the same year.

In the year 1637 they conquer'd the Pequott Indians which were then the most powerful nation of Indians in New England.

King Charles the 2d in his Charter to Connecticut takes notice of our purchase & conquering the land from the Indians, and thereby enlarging his dominions, & gives it as a reason for granting the Charter.

In 1642 Nathaniel Woodward and Solomon Saffery, by the appointment of the Government of the Massachusetts, run, or pretended to run the South line of the Colony of the Massachusetts, beginning at a certain station noted in their plan No 6 & running from thence Westward to Bissell's house in Windsor on Connecticut River.

N. B. It appears by their said plan, that Woodward & Saffery began to measure the three miles from the South side of a pond & not from any part of Charles River.

2ly It appears by said plan to be more than three minutes from the South side of said pond to the said station, whereas a minute bears the proportion to an English mile as 69½ to 60.

3ly Bissell's house in Windsor to which Woodward & Saffery run, stands ten miles & ninety four rods South of a West line run from the said Woodward & Saffery's station as appears by the line run by the Riding Commissioners in the year 1713, which comes to Connecticut river about 160 rods North of the mouth of Long Meadow brook (& by No 7 and this line continued to the West part of Connecticut, will be about 20 miles South of the said West line) & also to be two miles & two hundred & sixty two rods South of the North bounds of Windsor established as abovesaid, and to which they have quietly held ever since.

4ly The Commissioners of both Governments in the year 1713, declared that a due West line was according to the Charters to each Government.

5ly And as it evidently appears that Woodward & Saffery was very partial in favor of the Massachusetts in running the said line from their first station to Bissell's house, so there arises a just suspicion that they were in fixing their first station, and according to common fame it stands 7½ miles South of every part of Charles River.

6ly The Province of the Massachusetts never bounded any of their grants South on said Woodward & Saffery's line, and Connecticut always protested against it, and held & enjoy'd their lands above it, particularly Windsor aforesaid, as far North as Kettle Brook.

N° 6. King Charles the 2d 1662 Granted Letters Patent to the Governor & Company of the Colony of Connecticut bounding them North on the Massachusetts.

N° 7. The Colony of Connecticut granted to the town of Windsor two miles North of their ancient bounds, & in 1685 granted a Patent to the proprietors of said Windsor under the Colony Seal North to sd bound

N° 8. Vid. N° 8.

N° 9. In 1683, the Government of the Massachusetts granted the town of Woodstock.

In 168 the Massachusetts granted the town of Enfield bounding them North at the mouth of Long Meadow Brook, West on the River, to extend from the North bounds six miles South & ten miles East from the river

In 168 The Massachusetts granted Suffield, bounding them North on Springfield at the mouth of Long Meadow brook, East on the Great River to extend from the North bounds six miles South.

N. B. The Grant made by Connecticut to Windsor was prior to the Grant made by the Massachusetts to Suffield and Enfield.

2ly The Grants of Suffield & Enfield lap't one mile & eight rods on the prior Grants of the township of Windsor the width of the town on which many controversies, quar-

rels and disputes arose by the borderers on s^d^ line. In defence of their respective claims, & for remedy thereof, the respective Governments appointed Commissioners to settle the said controversies, and to fix and settle the line dividing between s^d^ Governments, Connecticut always challenging to a line according to their Charter.

N^o^ 10 In July 13^th^ 1713 the said Commissioners came into concluded and drew Articles of Agreement respecting the said differences, and the line dividing between the said Governments, wherein among other things they agreed and concluded first, that the dividing line between the two Governments should take its commencement from the ancient station fixed by said Woodward & Saffery, and that a West line from thence should be run according to the Royal Charter to the late Colony of the Massachusetts Bay.

N. B. It appears the Commissioners never examined whether the s^d^ station was first fixed according to the Charter to the Massachusetts.

2^ly^ That said line should be run & mark'd out by Rideing Commissioners.

3^ly^ That the town of Woodstock settled by the Massachusetts and the town of Symsbury settled by Connecticut should remain entire to the respective Governments by which they were settled both as to property & jurisdiction, the intersection of the line notwithstanding.

4^ly^ That the town of Enfield and the town of Suffield, except where it lap't on Symsbury, should remain under the jurisdiction of the Massachusetts, and that y^e^ town of Windsor should remain to the jurisdiction of Connecticut, as far North as the bounds of Suffield & Enfield.

5^ly^ That the several tracts of land formerly granted and laid out to particular persons therein named, which lay near to or bordering on said line granted by either Government, should be held by the respective grantees &c. altho' by the new running of the line such lands should appear not to lie within the jurisdiction of the Government by which they were granted,

6ly That there should be an after meeting of the Commissioners to determine the challenges of particular persons, & of the equivalents thereafter to be made for such lands as were granted by one Government within the jurisdiction of the other.

7ly October 8th 1713, the General Assembly of the Colony of Connecticut confirmed the said agreement, and about the same time the General Court of the Massachusetts did the same.

8ly Decr 28th 1713, the Commissioners meet and find that the Massachusetts had granted Seventy nine thousand seven hundred & eighty five acres on the East side of Connecticut River within the Colony of Connecticut which was confirmed to the Grantees & allowed to be taken up by Connecticut in the ungranted lands in the Massachusetts.

The said Commissioners agreed that the equivalents should be laid out in four places, and Forty thousand acres to be laid out at a place called Coassit, which number of acres was laid out, thro' a mistake, in the Province of New Hampshire, north of the Province of the Massachusetts.

Decr 28 1713 The Commissioners agreed that the lands in the townships of Springfield and Westfield on the West side Connecticut River, that fell Southly of the line, should remain to the respective townships of Springfield & Westfield both in the Government of the Massachusetts, the intersection of the line notwithstanding, and that equivalents should be made to Connecticut, at the next Sessions of the Commissioners, for the land on the West side of Connecticut River, which were in the Massachusetts possession south of the line after a further running.

No 10 In July 8th 1714 It appeared to the Commissioners by the Report of the Riding Commissioners, that on continuation of the partition line between the two Governments on the West side Connecticut River that there is twenty eight thousand & eight acres of land further to be allowed to Connecticut for so much in the towns of Springfield, Westfield & Suffield South of the line to be taken up in the vacant lands in the Province, and the said quantity

of 28008 acres was according granted & allowed by s^d^ Commissioners.

N. B. The Province of the Massachusetts have never laid out said 28008 acres to Connecticut nor has Connecticut any power to compel them to a performance thereof.

N. B. 1^st^ By the running of the line by Woodward & Saffery, the Province of the Massachusetts had pretended to a rong line between the Governments, & that by the agreement of the Commissioners in 1713 there seems to be a colourable pretence that both Governments had granted and settled lands within the Charter bounds of the other, which might arise from thence.

2^ly^ That Connecticut always challenged to a line fixed by the Charter, this fact is declared and consented to by the Commissioners in 1713.

3^ly^ That notwithstanding this Claim of Connecticut the Massachusetts have presumed to grant and settle within the Colony of Connecticut 107,793 acres of land, but Connecticut have granted none within the Massachusetts.

4^ly^ That the agreement made July 13^th^ 1713, only is ratified by the two Governments, and in that agreement a West line from the station was declared to be a line according to the Charter, and whenever it is mentioned, is declared to be the partition line between the two Governments, so that the Jurisdiction of the said towns of Woodstock &c is declared to be out of the Charter to the Massachusetts, and within the Charter to Connecticut, and the Colony of Connecticut have exercised jurisdiction up to said line ever since, except in the said four towns which are notched down between our towns, Viz. Woodstock between Killingly & Union & Suffield, Enfield & Somers between Stafford & Symsbury full six miles.

5^ly^ That notwithstanding Connecticut had always contested for a line according to Charter, and had been moving to have it run & ascertained accordingly, yet the Massachusetts would never consent, but continued to grant lands within the Charter bounds of Connecticut untill the borderers were got into the utmost violence and confusion. Then

they consented to appoint Commissioners to meet with us, but when met would not agree to the affixing of the line, and thereby quiet his Majesty's subjects on the borders in their just rights, untill our Commissioners had ceded to them without examination to begin at Woodward & Saffery's station which stands about 7½ miles south of every part of Charles River, and also cede to them the abovesaid 107,793 acres of land they had granted within the Charter bounds of Connecticut, and also the jurisdiction of the said four towns, and for which we have had no consideration granted but the like number of acres for an equivalent in their ungranted lands, which was not the 20th part of the value of the lands they had granted in Connecticut, (tho' it was determined by the Commissioners to recommend it to the General Court of the Province to make an equitable allowance therefor, yet nothing was ever done,) of which they have not suffer'd us to receive, nor are we like to receive more than 39,793 acres within the province of Massachusetts. By this it will appear under what care and disposition Connecticut was to secure his Majesty's subjects in peace, and how much we have suffered & been crowded upon by our overgrown & turbulent neighbours.

6ly That the Massachusetts pretensions of defending Woodstock thro' a long and tedious war is but a colour, for we can't understand that there was ever any garrison kept in that or any of the four towns & Connecticut have always been at great expence in defending the frontiers in the County of Hampshire in time of war.

No 11 In the Year 1747 the inhabitants of the towns of Woodstock, Suffield Enfield & Somers prefer'd their petition to the General Assembly of the Colony of Connecticut, shewing that they were within the limits of his Majesty's Charter to Connecticut, and had a right to the privileges therein granted the agreement in 1713 notwithstanding: on which the Assembly taking the matter into consideration, & appointed a Committee to confer with a Committee of the Massachusetts concerning the matter set forth in the said petition, on which the said petitioners

made a motion to the Assembly of the Massachusetts to appoint a Committee to join ours, but their motion was utterly rejected.

N° 12 And thereupon the inhabitants of the s^d towns presented their petition to the General Assembly of Connecticut in October 1747 respecting the Massachusetts denial to hear their request, and insisting on their right to the privileges granted by Connecticut Charter; on which the General Assembly, in order to settle his Majesty's subjects peaceably in their just rights, then again appointed other Commissioners to meet with such as the Massachusetts should appoint to hear the inhabitants of said towns in the premisses, and desired the General Court of the Province to join therein, but still the Massachusetts intirely rejected it.

May 1748. N° 13 The said inhabitants still insisting on their former request presented another memorial to the General Assembly in May 1748 more largely setting forth the matters aforesaid, and further insisting on their rights to be in Connecticut; the consideration thereof for advice was refered to the Assembly in May 1749.

May 1749 N° 14 At which sessions the Assembly having more fully considered the matters aforesaid and the rights of the people, declared they were of opinion that all the said inhabitants that lived South of the true dividing line between the Massachusetts and Connecticut according to their Charters, were within, and had right to the benefit of the Government of Connecticut, the agreement in 1713 notwithstanding.

[ ] 1750 N° 15 The Assembly in Oct° 1750, appointed Commissioners again to confer with Commissioners of the Massachusetts, the appointment whereof was sent to the Massachusetts, but they never took any notice thereof, not so much as to write an answer; and the inhabitants of the said four towns have peaceably enjoyed the privileges of this Government, and been subject to the jurisdiction thereof ever since the sessions of the General Assembly in May 1749.

But the line not being yet legally settled, and we disappointed in all our attempts for an amicable settlement thereof among ourselves, in order to prevent all controversies and for the settling peace among the borderers on said line. We are obliged to apply to his Majesty to affix and ascertain the said line according to charter.

In this case we conceive there can be no objections raised from the Massachusetts Charter that having so amply fixed the place where the line should commence, and course due West from the station. The objection we conceive will be that the line of Woodward and Saffery, or the line agreed upon July 13th 1713, is the dividing line between the two Governments by force of that agreement, which line may be considered as a line drawn due West from Woodward & Saffery's station, as it was run & marked out by the Rideing Commissioners, which leaves the said four towns South and within the Colony of Connecticut, or a line notching down on Connecticut round the said four towns.

In answer to the first we conceive we have already shewn by their plan that the said station was fixed too far South, and shall be able we expect in a short time to furnish you with further evidence sufficient to shew it is some miles further South than the Charter fixed it.

And as to the running from that station to Bissell's house in Windsor on Connecticut River, which house is ten miles & ninety four rods South from a West line drawn from said station, can't possibly be the line of Jurisdiction granted by Charter, which is a parallell of latitude or due West line.

And as to the line run by the Rideing Commissioners due West from said station, unless the station of Woodward & Saffery be in the place where the Massachusetts Charter has fixed it, the agreement of the two Governments to draw a line West from it is void, for the law is, that the King only has power to make a Corporation, and to erect Jurisdiction, which is always a local power, and tho' his Majesty grants at pleasure, yet when granted it fixes an inviolable and sacred right in every one within the limits of the Charter.

And as to the line notching down on Connecticut round the said four towns, it must be void by the same rule, for it is very apparently contrary to the line given in the Charter. And it is very unreasonable and unjust, for that Connecticut after contending for a charter line about fifty years was perfectly crowded into it, for the sake of preserving his Majesty's Subjects in peace.

And for that the Massachusetts never gave any equivalent for jurisdiction, nor perfected the agreement on their part with respect to the equivalent lands, and the particular inhabitants on the borders would be thereby deprived of their just rights.

[Indorsed] State of the Case respecting the line between Massachusetts & Connecticut.

WILLIAM BOLLAN'S PETITION.

To the King's most Excellent Majesty in Council

The Humble Petition of William Bollan Esq^{r} Agent for your Majesty's Province of the Massachusets Bay in America.

Most humbly Sheweth,

That his late Majesty King James the first by Letters Patent under the great Seal of England dated the 3^{d} of Nov^{r} in the 18th year of his Reign did grant to the Council established at Plymouth for the planting ruling ordering and governing of New England in America and to their Successors or Assigns, All that part of America lying & being in breadth from 40 Degrees of Northerly Latitude from the Equinoctial Line to the 48th Degree of the same Northerly Latitude inclusively and in length of and within all the breadth aforesaid thro'out all the main Lands from Sea to Sea.

That the said Council established at Plymouth by Ind're under their common Seal the 19th of March in the 3^{d} year of King Charles the first granted & conveyed to S^{r} Henry Roswell & others their Heirs & Assigns and their Associates forever All that part of New England in America aforesaid

which lies and extends between a great River there commonly called Monomack als Merrimack and a certain other River there called Charles River being in the bottom of a certain Bay there commonly called Massachusetts Bay and also All and singular those Lands & Hereditam^{ts} whatsoever lying within the Space of three English Miles on the South part of the said Charles River or of any & every part thereof and also all and singular the Lands & Hereditaments whatsoever lying and being within the Space of three English Miles to the Southward of the Southermost part of the said Bay called Massachusetts Bay and also All those Lands & Hereditam^{ts} whatsoever which lye and be within the space of three English Miles to the Northward of the said River called Monomack als Merrimack or to the Northward of any and every part thereof and all Lands & Hereditaments whatsoever lying within the Limits aforesaid North & South in Latitude And in breadth and in length and longitude of & within all the breadth aforesaid thro'out the main Lands there from the Atlantick and Western Sea & Ocean on the East part to the South Sea on the West part.

That His s^{d} Majesty King Cha^{s} the first by his Letters Patent under the great Seal dated the 4th of March in the 4th year of his Reign did grant and confirm to the said Sir Henry Roswell & others their Heirs & Assigns All the s^{d} part of New England in America lying & extending between the Bounds and Limits in the s^{d} Ind're expressed And his s^{d} Majesty did by the s^{d} Letters Patent further give & grant unto the s^{d} Sir Henry Roswell & others their Heirs & Assigns All that s^{d} part of New England in America which lies & extends between a great River there commonly called Monomack als Merimack River and a certain other River there called Charles River being in the bottom of a certain Bay there commonly called Massachusetts Bay and also All and singular those Lands & Hereditaments whatsoever lying within the Space of three English Miles on the South part of the s^{d} River called Charles River or of any or every part thereof and also All & Singular the Lands & Hereditam^{ts} whatsoever lying & being within the Space of

three English Miles to the Southward of the Southermost part of the said Bay called Massachusetts Bay, and also all those Lands & Hereditam^{ts} whatsoever which lie and be within the Space of three English Miles to the Northward of the s^{d} River called Monomack als Merimack or to the Northward of any and every part thereof and all Lands and Hereditaments whatsoever lying within the Limits aforesaid North and South in Latitude and in breadth and in length and longitude of and within all the breadth aforesaid thro'-out the main Lands there, from the Atlantick or Western Sea and Ocean on the East part to the South Sea on the West part And by the s^{d} Letters patent the s^{d} Sir Henry Roswell & others were created & made a Body Corporate by the Name of the Governor and Company of the Massachusetts Bay in New England With Power to make Laws & pass Grants and all other usual Powers in Grants of this kind.

That the s^{d} Governor & Company of the Massachusetts Bay by virtue of the s^{d} Letters Patent setled a Colony of English in the s^{d} parts of America and many good Subjects of this Kingdom encouraged and invited by the s^{d} Letters patent transported themselves & their Effects into the same whereby the s^{d} Plantation became very populous and divers Counties Towns and places were created erected and made by the s^{d} Govenor and Company

That in Trinity Term in the 36th year of King Charles the Second a Judgment was given in the Court of Chancery at Westminster upon a Scire facias That the s^{d} Letters patent of the 4th of March in the 4th year of King Charles the first should be vacated.

That upon the humble Application of the then Agent for the s^{d} Province of the Massachusetts Bay their late Majesties King W^{m} & Queen Mary by Letters patent dated the 7th of October in the third year of their Reign did will and ordain that the Territories and Colonies commonly called or known by the Name of the Colonies of the Massachusetts Bay and Colony of New Plymouth the Province of Main the Territory called Arcada or Nova Scotia and all

that Tract of Land lying between the sd Territories of Nova Scotie & the sd Province of Main should be erected united and incorporated into one real Province by the Name of their Maties Province of the Massachusetts Bay in New England. And their sd Maties did by their sd Letters Patent for them their Heirs & Successors give & grant unto the Inhabitants of the sd Province of the Massachusetts Bay & their Successors All that part of New England in America lying & extending from the great River commonly called Monomack als Merrimack on the North part & from three miles Northward of the sd River to the Atlantick or Western Sea or Ocean on the South part and all the Lands & Hereditamts whatsoever lying within the Limits aforesd and extending as far as the outermost points or Promontories of Land called Cape Cod & Cape Malabar North & South and in Latitude breadth and in length and longitude of & within all the breadth and Compass aforesd thro'out the main Land there from the sd Atlantick or Western Sea & Ocean on the East part towards the South Sea or Westward as far as the Colonies of Rhode Island Connecticut & the Narraganset Country; and also All that part and portion of Main Land beginning at the Entrance of Piscataway Harbour and so to pass up the same into the River of Newichwannock and thro' the same into the furthest Head thereof and from thence North westward till one hundred & twenty miles be finished and from Piscataway Harbour's mouth aforesd North Eastward along the Sea Coast to Sagadohock and from the Period of one hundred and twenty miles aforesaid, to cross over Land to the one hundred and twenty Miles before reckoned up into the Land from Piscataway Harbour through Newichwannock River and also the North half of the Isles of Shoals, Together with the Isles of Capawock and Nantuckett near Cape Cod aforesd; and also the Lands & Hereditamts lying & being in the County or Territory commonly called Accada or Nova Scotia and all those Lands & Heredits lying & extending between the sd Country or Territory of Nova Scotia and the sd River of Sagadahock or any part thereof. And by the sd Letters Patent it is ex-

pressly provided that it shall & may be lawfull for the Assembly of the s^d^ Province to make or pass any Grant of Lands lying within the Bounds of the Colonies formerly called the Colonies of the Massachusetts Bay & new Plymouth & Province of Main in such manner as heretofore they might have done by virtue of any form or Charter or Letters Patent, which Grants of Lands within the Bounds afores^d^ their said Majesties do by the s^d^ Letters patent will & ordain to be & continue for ever of full force & effect without their s^d^ Majesties further Approbation or Consent.

That his late Majesty King Charles the 2^d^ by Letters patent under the great Seal of England bearing date the 20^th^ of April in the 14^th^ Year of his Reign for himself his Heirs & Successors constituted created & made John Winthrop Esq^r^ & others of Connecticut in New England in America a Body politick & Corporate by the Name of Governour and Company of the English Colony in Connecticut in New England in America with Power to call a general Assembly and to ordain and establish Laws for setling the forms of Government and fit & necessary for the s^d^ Plantation & Inhabitants there; And his Maty by the s^d^ Letters Patent for himself his Heirs & Successors did give grant and Confirm unto the s^d^ Governour & Company & their Successors All that part of his Dominions in New England in America bounden on the East by Narraganset River commonly called Narraganset Bay, where the s^d^ River falleth into the Sea, and on the North by the Line of the Masschusetts Plantation & on the South by the Sea; and in longitude as the Line of the Massachusetts Colony running from East to West that is to say from the s^d^ Narraganset Bay on the East to the South Sea on the West part.

That long before the issuing the s^d^ Lres patent to the s^d^ Colony of Connecticut to wit in the year 1642 the then Colony of the Massachusetts Bay had their South Line surveyed & stated by Mess^rs^ Woodward & Saffory two very eminent & approv'd Artists commencing three English Miles on the South part of Charles River agreeable to the

s^d^ Charter 4 Car 1 & carried on to a certain Station on Connecticut River called Risses House which was always from that Time accounted by the Massachusetts Colony the dividing Line betwixt them of the Settlement which had been made by the Connecticut people before the obtaining their s^d^ Charter & had made Grants of Townships up to the s^d^ dividing Land & particularly of the Townships of Woodstock Summers Suffield and Enfield.

That by the s^d^ Charter afterw^ds^ granted by King Charles the 2^d^ in 1662 to the Colony of Connecticut the s^d^ Colony is bounded on the North by the South Line of the Massachusetts Colony, and the Governour & Company of Connecticut some years after obtaining their s^d^ Grant drew the s^d^ dividing Line so run by the s^d^ Woodward & Saffory in 1642 where it touched on the Colony of Connecticut into Queen* as to the right running thereof & had since contested the Same by reason whereof the Grants of Lands for Townships as well as to particular ℔sons bordering upon the s^d^ South Line of the Massachusetts & the North Line of Connecticut made by the respective Governments & parlarly the Grants to the Towns of Woodstock Suffield & Enfield on the Massachusetts side and the Towns of Windsor & Simsbury on the Connecticut side were controverted & several Suits at Law had arisen thereabout. For a friendly & neighbourly Accommodation whereof and compromising final issuing & determining all past Disputes and Controversies relating to the s^d^ divisional Line and for quieting the Subjects of each of the s^d^ two Governments in their Just Rights and Possessions the s^d^ two Governments on the Proposal of the Connecticut Government came to an Agreement for appointing Commissioners on each side to survey the Lands lying near the s^d^ Line of Division & to draw a Map of the Same to be laid before the Assembly of each Government in order to their coming into some Method for fixing the s^d^ Line & putting an End to the Controversies relating thereto.

That Commissioners were accordingly appointed who attended the s^d^ Service & prepared and signed two Maps of

* Question.

the s^{d} Line & Lands one of which was transmitted to the Assemblies of each Government.

That hereupon Commissioners were in May 1713 appointed by Act of Assembly of each Government to fix & settle the Boundary Line between the s^{d} two Governments & secure & establish all properties in Lands bordering on the Line and putting an end to all Strifes & Controversies relating thereto; and by the s^{d} Acts & parlarly by the Connecticut Act it is enacted that whatsoever Agreement the s^{d} Commiss^{rs} on the behalf of the Government of Connecticut sho^{d} conclude with the Commiss^{rs} of the Massachusetts Governm^{t} and ℔fect under their hands & Seals sho^{d} for ever thereafter be held good & firm on the behalf of the Connecticut Government.

That on the 17th of June 1713 the Commiss^{rs} on both sides met when the Connecticut Commiss^{rs} presented some preliminary Instructions to be considered & agreed upon previous to their proceeding upon the divisional Line touching which the Massachusetts Commiss^{rs} desired to have recourse to their Principals to advise thereon against their next Meeting.

That at the next Meeting of the Commiss^{rs} on the 19th of the s^{d} June it was proposed that the Town of Woodstock granted & established by the Governm^{t} of the Province of Massachusetts Bay sho^{d} entirely remain with the Jurisdiction of that Government according to their Grants with the Right & profits of the Lands. And that the Town of Enfield planted & established by the Governm^{t} of the Province of the Massachusetts Bay sho^{d} also entirely remain within the Jurisdiction of that Government accord^{g} to their Grant, & to be bounded as specified in the Proposal.

That on the 22^{d} of s^{d} June it was proposed that the divisional Line betwixt the two Governments sho^{d} take its Commencemt from the ancient Station of Woodward & Saffory and that a West Line should run from thence as directed by the Charter and that as it was proposed on the part of the Massachusetts that the several Towns of Woodstock & Enfield erected & established by that Government

be preserved entire as to Jurisdiction accordg to their several Grants so also the Towns of Windsor & Simsbury on the East Side of Connecticut River should extend Northward to the Bounds of Enfield and that the interfering betwixt the Towns of Windsor & Simsbury on the west side of the River on the part of Connecticut and the Town of Suffield on the part of the Massachusetts be further considered.

That on the 24th of sd June the Commissioners of Connecticut made a Proposal for adjusting the Line between the Town of Suffield on the part of Massachusetts and the Town of Windsor on the part of Connecticut as a reasonable Accommodation on both sides; and the particular Boundaries so proposed are specified in the sd Proposal.

That on the 26th of sd June it was proposed by the Connecticut Commissrs that the Town of Simsbury should remain entire according to their Grant and that for what Lands should be wanting to make the Town of Suffield Six Miles Square an Equivalent shod be made according as shod be thereafter agreed. And it was agreed by all the Commissrs that a Saving shod be provided for particular Towns.

That on the 29th of sd June the Connecticut Commissrs Suggested that upon further Instructions from their Governour & Council they must insist upon the Claim of Woodstock or at least such part thereof as shod fall to the Southward of the Line when run as proposed—and at another Meeting on the 3d of July 1713 the Massachusetts Commissrs informed the Connecticut Commissioners that upon advising with their Governour & Council they were instructed to insist upon reserving the Town of Woodstock entire as to Jurisdiction & property which the Connecticut Commissrs declared they cod not comply with as being contrary to their Instructions till they heard further from their Governour & Council.

That on the 6th of sd July upon Conference & Debate relating to the Town of Woodstock which had been many years laid out and established by the Province of the Massachusetts Bay Vizt in the year 1686 it was conceded & agreed

by the Connecticut Commissrs that the Town of Woodstock shod be held & continued to the Governmt of the Massachusetts both as to property & Jurisdiction—and the Proposal of the 26th of June referring to the Town of Simsbury was agreed upon—And it was proposed that suitable persons to be appointed by the respective Governments shod attend the stating ascertaining and settling of the Line betwixt the two Governments and also the Line between the Towns of Windsor & Suffield as was then conceeded—And the Commissrs on both sides on the 13th of July 1713 mutually signed & sealed an Agreement for settling the sd Line a Copy of wch your Petitr hath hereunto annexed & to which he begs Leave most humbly to refer and by which Agreemt (int al) the Town of Woodstock is to remain entire to the Governmt of Connecticut both as to Property & Jurisdiction—notwithstanding any Intersection that may be made in either of them by the new running the Line accordg to the other parts of the sd Agreement.

And about 2 Miles & a half of the Township of Suffield not having been Improved by the Inhabitants of Suffield is added to Simsbury & an Equivalent agreed to be made to Suffield and the Boundaries betwixt Simsbury & Suffield are particularly described & agreed on.

And the Town of Enfield granted & established by the Governmt of the Massachusetts is agreed to remain entirely within the Jurisdiction of that Government according to their Grant.

And it is agreed that proper persons should be appointed by the respective Governments forthwith to run adjust & determine the Lines betwixt the Towns of Windsor & Suffield & Windsor & Enfield and betwixt Suffield & Simsbury in manner as by the sd Agreemt is projected & agreed on.

It is likewise agreed that the sevl Tracts of Land lying near to or bordering upon the Line formerly granted & laid out to parlar persons by either of the sd two Governmts shall be held by such Grantees their Heirs & Asss for ever according to the priority of their Grants altho' upon the

new running or fixing of the divisional Line it Sho^{d} appear any of the s^{d} Land did not lye within the Jurisdiction of the Governm^{t} by whom granted & should be confirmed to such Grantees & their Heirs by the Government within which they fell and that no ℔sons sho^{d} be prejudiced in their Improvements.

And as the Claims of many particular ℔sons were not known to or could be determincd by the Commissioners at that Time, but necessarily required further Time & Notification to be made within each Governm^{t} It was therefore agreed that They sho^{d} receive hear & determine the Claims of particular persons & settle the Equivalence to be made as therein agreed for 12 Months next and the determination of the s^{d} Commiss^{rs} to be Conclusive & final; and that no Claims sho^{d} be received after the expiration of the s^{d} 12 Months without the special Allowance & Direction of the gen^{l} Assemblies of the s^{d} Province & Colony.

It was further agreed that where any Towns or ℔lar ℔sons by reason of any Concessions thereby made or new stating or fixing of the s^{d} Line sho^{d} be cut short or lessened in the Quantity of their Grants or that any Lands or Townships thereby consented to continue under the Jurisdiction of the Government by which they were established should appear upon the new running & stating of the first mentioned West Line to lie on the Side of the other Government an Equivalent sho^{d} be made to such Government Towns or ℔sons respectively of a like Quantity of ungranted Lands to be found in lieu thereof.

That this Agreement thus maturely & solemnly entered into by the Commiss^{rs} on each Side and with the privity & Approbation of each Government was accepted & approved of and confirmed by each Government.

That pursuant to the Provision made for that purpose by the s^{d} Agreem^{t} publick Notice was duly given by each of the said Governments for all Persons who had any Claims to shew forth the same within the time limitted upon which two Claims were entred One by James Cornish for a Tract of Land of Six Mile square und^{r} a Grant from one

Toto an Indian Capt in the year 1686 and the other by John Elliot Esq^{r} for 100 Acres of Land lying in the controverted part between Simsbury & Suffield for both which provision was made by the Commiss^{rs}

That the general Assembly of the s^{d} Province of the Massachusetts Bay on the 6th of Aug^{t} 1713 and the Assembly of the s^{d} Colony of Connecticut on the 8th of Oct^{r} 1713 appointed & impowered the Commiss^{rs} to run and state the Partition Line between the s^{d} two Governments pursuant to the s^{d} Instrument of Agreement of the 13th of July preceding.

That on the 6th of Nov^{r} 1713 the Commissioners made their Return That they had with the Assistance of two Surveyors who have likewise signed the Return run & stated the s^{d} Partition Line, and in their return specify the particular Metes & Bounds by which they have done it.

That by the running of this Line it appeared that 79,785 Acres contained in Grants which had been made by the Massachusetts Bay fell to the Southward of the s^{d} Line; And It was agreed at a Meeting of the Gov^{r} of the s^{d} Province & Colony & the s^{d} Commiss^{rs} on the 28th of Dec^{r} 1713 that the Colony of Connecticut sho^{d} have an Equivalent granted them for the Same agreeable to the Return of the Commiss^{rs} of the 13th of July then last (and w^{ch} equivalent Lands were the next Day agreed on & located) and it appearing that the s^{d} Line intersected & took part of the Towns of Springfield and Westfield both which fell to the Southward of the Lines between the s^{d} two Governments It was then mutually consented & agreed that the s^{d} sev^{l} Quantities of Land sho^{d} remain to the s^{d} Townships of Springfield and Westfield both within the Governm^{t} of the Massachusetts the Intersection of the Line in either of them notwithstanding—and on 31st of the same Dec^{r} the Boundaries of the Townships of Suffield and Simsbury were finally setled and determined That by a subsequent report of the Riding Comm^{rs} made to both Governments with a Plan thereto annexed of the sev^{l} Townships of Windsor, Simsbury, Suffield, Springfield and Westfield there was 20008

acres more to be allowed to Connecticut as an Equivalent for so much in the Towns of Springfield Westfield & Suffield lying to the Southward of the s^d^ dividing Line which was agreed to and allowed so that the whole Equivalent to be allowed by the Province of the Massachusetts to the Colony of Connecticut was 105,793 Acres

That the Ass^y^ of Connecticut 13^th^ Oct^r^ 1715 passed an Act of Ass^y^ whereby for a full disposition of the s^d^ equivalent Lands they appointed Comm^rs^ to sell the whole of the s^d^ 105,793 Acres of equivalent Land and for that purpose to execute Conveyances thereof in the name and behalf of the said Colony and appropriated the purchase money to several public uses

That on the 11^th^ of Oct^r^ 1733 the s^d^ 2 Governments past each of them an Act to perambulate & renew the said Boundary Line agreable to the said Settlem^t^ thereof in July 1713, and the Comm^rs^ appointed for that purpose in May & Nov^r^ 1734 made their Report to each Governm^t^ of their having perambulated and renewed the said Line accordingly and which was a solemn recognition, renewal, ratification, & confirmation by both Governments of the said Agreement And Line, setled and fixed by the said Agreem^t^ of 13 July 1713.

That from the Year 1713 to the year 1747 a Space of 34 Years & upwards each of the s^d^ two Governments continued in the quiet possion & Enjoyment of the s^d^ Boundary Line & of all Townships Lands & premes as allotted by the s^d^ Agreem^t^ and parlarly the s^d^ Province of the Massachusetts Bay continued in the full Possion & enjoyment of the Towns of Woodstock Suffield Endfield & Summers & had & always exercised the Rights of Jurisdiction over the Same as part of & within & belonging to the s^d^ Province of the s^d^ Massachusetts Bay, But in the Year 1747 the Gov^r^ & Company of Connecticut having formed a Scheme to break in upon & interrupt the peace & Quiet of the s^d^ two Governments by endeavouring to draw the s^d^ Line & Division so solemnly made between 'em in the Year 1713 as afores^d^ and which had been so long acquiesced under by both Governments &

the Enjoym^{t} & Exercise of Jurisdiction for such a length of Time carried on & submitted to. The Inhabitants of the s^{d} Town were set up & prevailed upon to present a Petition to the Assembly of Connecticut on the 8th of Oct^{r} 1747 representing that the s^{d} Towns were Situate within the Bounds of the Connecticut Charter & that by the s^{d} Settlem^{t} of the dividing Line between the two Governments made by Comm^{rs} of each Government in the year 1713 it was agreed the s^{d} Town should be & remain under the Jurisdiction of the Province of the Massachusetts Bay tho' it appeared by the running the s^{d} Line that the s^{d} Towns were within the Limits of Connecticut which Determination the s^{d} Petit^{rs} alledged was made without their Consent and that by means thereof they had been & were still deprived of their Rights & Privileges to which they were Intitled by the said Charter; and that having suggested these Matters to the respective Assemblies of both Governments and been unsuccessfull in their Endeavours for Redress they repeated their Application to the Assembly of Connecticut praying that as they conceived they had a Just Right to the Privileges & Liberties of the Governm^{t} of Connecticut the s^{d} Agreem^{t} notwithstanding, that the s^{d} Assembly would acknowledge them to be in the Colony of Connecticut and allow them to be in the Liberty & privileges thereof.

That upon this Petition the Assembly of Connecticut appointed Jonathan Trumbull & two others to be Comm^{rs} on behalf of the s^{d} Colony to meet with such Comm^{rs} as sho^{d} be appointed on the part of the s^{d} Province to hear the s^{d} Petit^{rs} on the Matters of their Complaint & report to the respive Governments what They should apprehend right to be done that so this Affair might be amicably setled & Justice therein be done to his Maty's Subjects; and the general Court of the s^{d} Province were desired to Join therein, and his Honour the Governour was desired to transmit to his Excellency Gov^{r} Shirley a Copy of the s^{d} Resolve & request him to lay the Same before the Assembly of the s^{d} Province for their Consideration—and accordingly on the 28th of Oct^{r} 1747 the Gov^{r} of Connecticut transmitted the s^{d}

Resolve to the Govr of the Massachusetts Bay desiring his Excellency to lay the Same before the Assembly of that Province for their Consido^n that Justice might be done on the Matters of the sd Complaint & hoped these Affairs might be settled in the best & most amicable Manner.

That on the 17th of Novr 1747 the Assembly of the Province of the Massachusetts came to the following Resolutions, vizt That it appeared to them that in the year 1713 the Boundary Line between the two Governments of the Massachusetts Bay & Connecticut was amicably & happily setled by Commissrs appointed for that purpose which Settlemt was ratified & confirmed by the Assembly of each Governmt And by the sd Settlemt it was agreed & determined that the Towns of Simsbury & Windsor both as to the Property & Jurisdiction shod remain entire to Connecticut, and that the Towns of Woodstock Suffield & Enfield both as to property & Jurisdiction shod remain entire to the Massachusetts Bay; and the Jurisdiction has been ever since peaceably exercised & without Complaints from the Inhabitants till within a Year past by the respective Governments accordingly; They were therefore unanimously of Opinion that any pretended Grievances of any of the Inhabitants of the sd Towns of Woodstock Suffield Enfield and Somers said to arise from sd Settlemt having been made without their Consent expressly signified can afford no Just Cause for reviving any Controversy between the Colony of Connecticut & the sd Province; And that it was not Incumbent upon the Government of the Massachusetts to appoint Commissrs to meet with such Commissrs as were appointed by the Assembly of Connecticut to hear any Complaints made by any of the Inhabitants of the sd Towns respecting their being or remaining within the Jurisdiction of the sd Province. And the Assembly desired Govr Shirley to transmit a Copy of the sd Resolves to the Govr of Connecticut in order to its being laid before the general Court of that Colony.

That on the 11th of May 1749 the Assembly of Connecticut resumed the Consido^n of the sd Petition of the Inhabitants of the Towns of Woodstock Suffield Enfield & Sum-

mers And after Reciting the s^d^ Petition and that the Petit^rs^ had moved therein & urged that the s^d^ Agreem^t^ in 1713 was made through Mistake and that the Government of Connecticut had received no Equivalent for the Jurisdiction over those Towns and that the Same was never established by the Royal Confirmation and therefore tho' it was approved by the respective general Assemblies of both Governments yet as to Jurisdiction more especially it must be looked upon as null and void.

Whereupon the said Assembly declared their Opinion that as the s^d^ Agreement never had so it never ought to receive the Royal Confirmation and as the Governments could not give up exchange or alter their Jurisdiction the s^d^ Agreem^t^ so far as it respected Jurisdiction was void & thereupon declared that all the Inhabitants which lived South of the Line fixed by the Massachusetts Charter were within & had right to the Privileges of the Connecticut Government the Agreem^t^ notwithstanding And forasmuch as there might be some Uncertainty with respect to the beginning and running of the s^d^ Line it was necessary that Measures sho^d^ be taken to ascertain the Same accord^g^ to the Royal Charters to both the s^d^ Governments therefore the s^d^ Assembly appointed 4 Commiss^rs^ or any 3 of them to Join with Commiss^rs^ to be appointed by the Governm^t^ of the Massachusetts to ascertain & affix the s^d^ Line accord^g^ to the s^d^ Charters and the Same being approved of by both Governm^ts^ that Joint Application sho^d^ be made for the Royal Confirmation thereof; and the Governor of Connecticut was desired to acquaint the Gov^r^ of the Massachusetts herewith and request their joining in the Matters afores^d^ And in Case of the Massachusetts refusal, or in Case the Commiss^rs^ did not agree then the Assembly further resolved that the Gov^r^ be desired to prepare & state the Case and send it to their Agent in Great Britain and direct him to petition your Majesty to appoint Commiss^rs^ to run & ascertain the divisional Line between the s^d^ two Governments according to their Charters—And which Resolutions were transmitted by the Gov^r^ of Connecticut to the Gov^r^ & Assembly of the Province of the Massachusetts.

That on the 28th of June 1749 the general Court of the Province of the Massachusetts Bay sent an Answer by their Secretary to the Govr of Connecticut to be by him communicated to the Assembly acquainting them that the Desire of the Inhabitants of the Towns of Woodstock Suffield Enfield & Summers to be placed under the Connecticut Government proceeded principally from a View of being thereby freed from their Proportion of a Debt the Province had contracted for its own Defence & the Defence of the other Governments to which it served as a Barrier, but they could never have imagined that the General Assembly of Connecticut wod have openly supported & encouraged such an Application in direct Violation of a solemn Treaty & Settlemt begun at the Instance of Connecticut Governmt agreed on by Commissrs fully Impowered for that purpose & afterwrs ratified & confirmed by the respective Acts of both Governmts

That the Connecticut Government alledging the Towns of Woodstock Enfield Suffield & Summers being within the Bounds of ye Connecticut Cher the Governments had no power to alter the Jurisdiction, could never be sufficient to Justify their Proposal for running the Line anew. That all Acts & Orders of the Massachusetts are constantly sent home and laid before your Majesty or your Ministers and the sd several Agreements so made between the two Governments were so transmitted and therefore must be considered as having had the Royal Confirmation—and if they had not been so transmitted, yet it was much more reasonable to believe that a Line deliberately settled above 30 years ago shod be more likely to obtain the Royal Confirmation because of the many Acts in Consequence of such Settlement than a Line to be agreed on at that day And that from your Majesties Grace and goodness there could be no great Room to doubt that where both Governments had agreed to a small Alteration of the Line of Jurisdiction at the earnest Desire and for the mutual Convenience of both Governments and of the Inhabitants then Immediately affected by it as was the Case of the Settlemt between

the two Governments but that your Majesty would most graciously be pleased to approve thereof and if the Government of Connecticut were in doubt as to the Validity of this Settlement it would have been more agreeable to their general Character to have proposed a Joint Application to your Maty for your most gracious Confirmation than to have declared the same void and appointed Commissioners to run the Line anew. That if there had been a Prospect of ever so great Advantages to the Massachusetts Government by any Alteration of the present Boundary Line by breaking thro' the solemn Engagem^{ts} of their Predecessors which in Honour & Conscience they were bound to observe such Advantages wo^{d} have no manner of Influence upon them nor co^{d} there be one Instance of a contrary behaviour charged agst that Province from its Incorporation to that Day. And that whatever ill Consequence might arise to either Government from this Controversy they desired the Connecticut Government to remember that they were the first Movers in it, and that the Massachusetts was perfectly disposed to preserve & maintain that peace & Harmony which had from the beginning remarkably subsisted between them.

That the Magistrates of Connecticut have since the aforesaid Resolution of the Assembly of Connecticut insisted on & taken upon them actually to exercise Jurisdiction contrary to what they had ever done before the Towns of Woodstock Suffield & Enfield, and the Magistrates of the Province of the Massachusetts doing the Same agreeable to what they have always hitherto done The s^{d} Townships are in the utmost Confusion by the Rights of Jurisdiction being thus exercised by each of the s^{d} Governments, and the greatest Disorders and Confusions are introduced in the s^{d} Towns and a Number of Law Suits commenced in each Government thro' at the same time the Province of the Massachusetts Bay have not given any the least Disturbance to those Townships allotted by the s^{d} Agreem^{t} to Connecticut

That in order to prevent the afores^{d} publick Mischiefs and Inconveniences & all others which must necessarily arise

from & attend this double Claim & Exercise of Jurisdiction over the s^d^ Townships your Petit^r^ by Directions from the general Assembly of the s^d^ Province of the Massachusetts Bay and as their Agent and for & on their behalf most humbly lays the whole of the premes before your Majesty for your Royal Consideration. And as the s^d^ Boundary Line or Line of Division between the s^d^ two Governments was so solemnly agreed upon setled & fixed between the s^d^ 2 Governm^ts^ so long since as in the Year 1713 and was approved of & acquiesced in by both Governm^ts^ for upwards of 30 Years and so for the mutual Convenience of both Governments it was agreed that where a Line intersected the s^d^ Townships they should notwithstanding belong to that Governm^t^ under which they were originally setled and that an equivalent sho^d^ be granted to each Side for the Lands which were thus taken from the one Governm^t^ & added to the other; and as the Right both of property & Jurisdiction hath for such a Length of Time been enjoyed by each Government over the Lands so mutually ceded by the one Government to the other; and in regard to the apparent Mischiefs & Inconveniences that must necessarily arise from the Right of Property being in one Government & the right of Jurisdiction in another, and as the Settlem^t^ of the s^d^ Boundaries & dividing Line in the year 1713 were transmitted by the s^d^ Province of the Massachusetts Bay to your Maty's principal Secretary of State & the R^t^ Hon^ble^ the Lords Commiss^rs^ of Trade & Plantations—And as this is a Queon of that Nature that can only be properly determined by your Majesty

Your Petit^r^ as Agent to & for & on behalf of your Majesty's s^d^ Province of the Massachusetts Bay most humbly prays your Maty that you will be most graciously pleased to inhibit & injoyn your Maty's s^d^ Colony of Connecticut from breaking in upon or disputing the s^d^ Settlement of the Boundary or Divisional Line so solemnly made both with regard to the Right of property & Jurisdiction between the s^d^ two Governments:— And That your Maty will be most Graciously pleased to give the s^d^ Settlem^t^ in

1713 the additional Sanction of your Royal Approbation & Confirmation, and thereby quiet the present intestine Disputes between the s^d^ two Governments and thereby restore & settle perpetual Peace & Amity between them & the s^d^ several Townships situate on the Borders of each Government—Or that your Majesty will be most graciously pleased to make such other and further order on the premes as the Nature & Circumstances of the Case shall require, and as to your Majesty in your most Consummit Wisdom shall see proper.

And your Petit^r^ as in the strictest Duty bound, shall ever pray &^c^.

[Indorsed] De^t^ Petition of W. Bollan Esq^r^ Agent for the Massachusetts Bay touching the Boundary dispute betw that Province and the Colony of Connecticut.

This is the Copy of the Pet^n^ as preferd J. B.

JOSEPH HULL TO ROGER WOLCOTT.

*S^r^*

The Spanish Merch^t^ being return'd to whom I am ready to deliver the money & effects, upon Lawfull charges being paid or secured w^ch^ he now consents to, & as he hath chartered a new Ship in this Port to carry him & his goods to Spain, accordingly the bearer hereof M^r^ Joseph Smith waites on you for Yo^r^ Hon^rs^ approbation & Permission to take the same on board, the w^ch^ if you are pleased to grant it will be a means of finishing this long & troublesome affair, w^ch^ I am very desirous may be accomplished, I have also herewith Enclosed a Copy of M^r^ M^c^Kenzies Agency, that was delivered to me, w^ch^ M^r^ Richards Informs me you was desirous might be delivered up, & am

Yo^r^ Hon^rs^

Most Hum^ble^ Serv^t^

JOS. HULL

Cust. House N. Lond^N^ 20^th^ Aug^st^ 1753

To the Hon^ble^ Roger Wolcott Esq^r^ Gov^r^ &c.

[Indorsed] from Joseph Hull Esq^r^ Aug^t^ 20 1753

JOSEPH MIGUEL DE ST. JUAN TO ROGER WOLCOTT.

NUEVO LONDRES 20 de Agto de 1753.

Honorable sor Governador.

Sor

Pongo en notizia de vuestro Honor, como me he Restituido a este Puerto, motivado de las Cartas qe me tiene escriptas el sor Colector, Sobre et Integro de la cargazon de el Paquevot sta Elena, que oi dia Exsieste en este pte Almazenada de su Cargo, en mi poder, y siendo preziso a la atenzion de vuestro Honor, Como a el Cumplimiento de mi ôbligazion, Exsivir esta notizia a vuestro Honor, para lograr por esta via, el fin de Imponer mis nuevos prezeptos de servirle, suplicandole en Carezidamente sea mui servido de tomar en su Justa Considerazion, la grande Demora, que ha tenido esta Cargazon, Como los grandes Daños y perjuizios, que en el Discurso de tanto tiempo se havran sequido a sus Interesados, y Respecto ha no tener ya esto, ôtro Remedio, espero solamente, el que vuestro Honor lo sea en esta õcasion, mostrando sua favilidad, Expidiendo una õrn a el sor Colector, a fin de que no haya Demora en la entriega de la Carga, ni me nos que por ningun motivo ilizito se me detenga, sino es, siguiendo en Derechura entregandome, a mi mismo, y no a otro ninguno que lo pretenda, porque deser asi, sera Como siempre, nunca acavar, esperando de su Benignidad y veneplazito, que siendo, como es, Justizia, que pido, a la mucha, que administra Vuestro Honor, no dudó, me sera atendida mi suplica, en propiedad a lo Justo y Magnanimo que espero, se muestre vuestro Honor, Sacandome con el Luzimiento que â Costumbra, y mandando si Reconoze de algun servizio a sumas ôbediente atento Servidor.

JPH MIGUEL DE SN JUAN

Translation of the Original Letter in Spanish

New London Aug^{t} 20th 1753.

Sir

I give Your Honour notice, That I am come to this Port, by the motive, of the Letter the Collector wrote me, concerning the delivery of the Cargoe, of the Snow S^{t} Jos. & S^{t} Hellena, and at this day, the said Cargoe remains in the Warehouses under his possession, Which I desire may be deliverd to me, and as it may be necessary, That I should pay this obedience to Your Honour, to give Your Honour this notice, for to enjoy, by this means, all the services in Your Power, for which I shall be infinitely oblig'd, & beg the favour. You will take the same into Your consideration and will regard the great Detension, the Cargoe above mentioned has suffer'd, besides the great damages & Losses, the Merchant consern'd has sustain'd thereby, And as to what has pass'd, I cannot remedy, I'm in full expectation, Your Honour will now exert Your self on this occasion shewing Your chearfulness, in sending an order to the Collector, That the Goods may be deliverd to my order or request, That no unjust motives may detain, And if not, That the same may be deliverd to me directly, & to noe other Person, who may have any pretension, for if there should, it will remain as before without determination. Waiting for Your pleasure & good will, & as my request is soe just, By the great administration of Your Honour, I doubt not You'll answer my supplication, in property and justice, in exerting Your self on the occasion, & releaseing me, from those difficultys honourably, & sending my commands, in which I am serviceable to Your Honour, being Your Honours—Most attentive

Most Obed^{t} Serv^{t}

JOS. MIG^{L} DE S^{T} JUAN

To The Hon^{ble} Roger Wolcott Esq^{r}.

ROGER WOLCOTT'S CERTIFICATION.

In Windsor August 22th Anno Dom 1753 personally Appeard Joseph Smith Master of the ship Nebuchadnezer now Lying in the port of New London and made solemne oath that the said ship is well Provided sutable and sufi-cient to Transport the Cargo and Efects brought into sd port in the snow St Joseph and St Helena from the port of New London to the port of Cadiz in Spain

Coram R WOLCOTT GovR

ROGER WOLCOTT TO JOSEPH MIGUEL DE ST JUAN.

To Don Joseph Migll de St Juan Supercargo and Di-recter of the Spanish Snow St Joseph and St Helena

Whereas you were sometime ago put into the port of New London by Distress and the said Snow upon Examina-tion was found incapable to put to sea again on your in-tended voyage to Cadiz by which means it became Neces-sary there should be a suteable vessell Chartered for your return to your designd port

And whereas Messrs Henry Cuyler Junr and Henry Lane of the Province of New york have Chartered to you for your Indended Voyage a ship or vessell Called the Nebu-chadnezer of the burden of about one hundred and Ninety six tons Whereof Joseph Smith of the said Province is at present Master and the said Master hath made solemne Oath before me that the said ship is well provided suteable and sufcient to trasport the said Cargo and Efects from the port of New London to Cadiz

I do hereby allow and Ratify the doings of the said Cuyler and Lane in Chartering the said ship to you for the voyage aforesaid

And do Apoint and Impower your Agent Mr Henry Lane aforesaid to receive the Cargo and Efects brought in to the port of New London in said Snow of the Colector of His Majesties Customes in said port and to ship them on bord the said Vessell Called the Nebuchadnezer for their Trans-portation to Cadiz in Spain and so I Wish you a Good Voy-

age and prosperous Return home Given under my hand in Windsor this 22d day of August Anno Dom 1753 and in the 27th year [of his Majestys Reign]

[R WOLCOTT Govr]

[Indorsed] My Letter to Don Joseph Augt 22 1753

RICHARD PARTRIDGE TO ROGER WOLCOTT.

London 8th mo the 25th or Augst 1753

Govr Wolcott

I wrote last of the 9th 6th mo: or June to which I refer. As to the Affair of Mason & the Mohegan Indians I dont find but it stands as it has done for some time, there having nothing further been yet done therein at the Council Office or Treasury Board, but the same is likely to move with difficulty: & all other Matters relating to the Colony remain quiet at present. Gentlemen are very busy up & down in the Country making Interest agst the next Election for members of Parliament & the Courtiers also pretty much out of Town at this Season of the Year. please to accept the News Papers & Magazines now sent thee from

Thy assured Friend

RICHD PARTRIDGE

[Supercribed] To Roger Wolcott Esqr Governour of the Colony o Connecticutt Windsor ℔ Capt Cary

[Indorsed] From the Agent Augt 23d 1753

[A duplicate of the above letter adds at the end]

I am now at 12th Septr & all matters above mentioned remain as they did—inclosed is the Magazine for last Month which please to accept from.

R: P

RICHARD PARTRIDGE TO ROGER WOLCOTT.

London 8th mo: or Augt 25. 1753

Govr Wolcott

Here inclosed I send thee ye answer I recd from Majr Clark of Jamaica to whom I wrote about thy daur Newberrys affair, by wch it appears that he can give little or no

intelligence about it. I wish It was in my power to procure some informa^{n} to the purpose, but can't see what further can be done it.

As I understand I am not likely to be obliged in respect to y^{e} Bills I sent thee on my Correspond^{t} And^{r} Oliver Esq^{r} of Boston for acco^{t} of the Colony, in as much as y^{e} Bills to be drawn on me were to be reserved for y^{e} Inhabitants, I was thinking (& it w^{d} be very acceptable to me) if thou coudst thyself have y^{e} favour to take y^{e} paym^{t} of s^{d} Oliver for my said Bills (half whereof I have now desired him to pay in Silver) & so to send me a Bill on my Self for the value if it be no prejudice to thee w^{ch} I leave to thy consider^{a}^{n}, & remain with due respects.

Thy Friend
RD PARTRIDGE

[Superscribed] To Roger Wolcott Esq^{r} Governour of the Colony of Connecticutt Windsor.
[Indorsed] From the Agent Aug 25 1753

ANDREW McKENZIE TO ROGER WOLCOTT.

Hon^{ble} Sir

I find that Don Joseph the Spanish Merch^{t} is gone to wait of your honour, for what I am not able to tell; for every thing Seem'd to me to be quite clear for him to take the goods aboard, & proceed for what reason he did not incline time alone must, bring forth; every person knowing to his behaviour; judges according to there capacity. According to my Instructions from the owners, & the order rece'd from your honour in Councill have this day begun to ship the goods, I expect to Morrow or next day will be able to get every thing aboard for the depaiture of the Ship; & hopes to get what officers is inclined to goe home to goe in the Ship; M^{r} Lane will make your honor acquanted w^{t} what discoverys he has made, relative to this troublesome affair; but I hope your honour will think with me, the soonner the owners gets their effect the better; & it appears to me that the Merch and those concern'd have no Inclination to goe

home nor yet doe they attend in the least to the owner's Interest. I shall take care to keep your honour advised & send you & a particular Invoice of the Cargoe I am Hon^ble Sir

Your Much Oblidged

Humble Serv^t

ANDREW McKENZIE

NEW LONDON 29^th Aug^t 1753

[Indorsed by Wolcott] From McKinzie Aug^t 29^ 1753

HENRY LANE TO ROGER WOLCOTT.

NEW LONDON Aug^t 29^th 1753.

Sir

In Persuance to Your Honours order, & the Power given by D^n Joseph Mig^l De S^t Juan, & the Owners thereof, this Day the Cargoe, brought into this port, by the Snow S^t Joseph & S^t Hellena has in part been put on Board the Ship Nebuchadnazer, Joseph Smith Master, it has been agreed to settle the Acco^ts which occasiond the delivery thereof And on examination of the money in Boxes, have found one Box, supposd & attested by the Merchant before the Court of Admiralty, to contain the value of 5000 $^s of 8/8 in Gold, to be filled w^th nothing but stones, sand, Rags. & Weeds, which have great reason to immagine by appearance thereof according to evidence, to be done by some Persons princeipally concernd, in above said Snow, Evidences are a taking of the facts as justly appears, but time will not permett them to be sent at present. In a day or two shall doe my self the pleasure to advise Your Honour farther on the occasion, & think in the interim, Your Honours orders for a proper examination to detect the affair may be requesite. I am w^th respect

Sir Your Hon^rs Most Obed Serv^t

HENRY LANE

Least it should prevent a farther discovery, it may be prudent, not to mention this to D^n J^s or any other.

[Indorsed by Wolcott] From Mr Lane Aug^t 29 1753

ROGER WOLCOTT TO JOSEPH HULL.

WINDSOR Augt 30th 1753

Sr

Don Joseph Megull D: St Juan Supra Cargoe and Director of the Snow St Joseph and St Helenor and her Cargoe Lately put into the Port of New: London by Distress hath made Complaint to me that Some persons are Taking ye Sd Cargoe out of your Custody and Shiping Them on bord without having any Lawfull order or power Therefor and Contrary to his mind

I have Determined to advise with my Council on this affair at Hartford the Eleventh day of Septembr next.

And thereupon I order you to Suffer none of the Sd Cargoe to go out of your Custody nor the Ship Nebuchadnezzr To go out of the Port of New London untill you have Further orders which you may Expect Soone after The meeting of the Council afore Sd: allways Provided you Suffer the Sd Cargoe and the Ship to depart when the Sd Supra Cargoe is Ready and hath paid or Deposited Effects to pay all Lawfull Charges Due from Sd Snow and Cargoe

R WOLCOTT GovR

To JOSEP HULL Esqr

[Indorsed by Wolcott] order to stop the ship Augt 30th 1753

JOSEPH MIGUEL DE ST. JUAN TO ROGER WOLCOTT.

GUINZA 30 de Agosto de 1753

Honorable Señor Gouernador de la Provincia de Coneticut.

Sor

Por auiso que acabo de tener de los Oficiales de el Paquebot Español Nombrado Ste Elena y Sor San Joseph, del Puto de Nuebo Londres de que por horden, expedida de Vuestro honor (Cuia fecha ygnoro,) ban a entregar la Carga de mi Cargo, en dho Puto â Dn Enrique Laine mercader de la Ciudad de Nueuo Uorca, en Compañia de Dn Andres Mequinze, Cuio yntegro, segun auiso, por orden de Vuestro honor, haze, el Oficial Real, de dho Nueuo Londres, â las

partes mencionadas [;] y Respecto, a no hauer Consentido yo, por ninguna manera dho yntegro, a las partes que se expresan; Protesto, ante Vuestro honor, Contra Vuestro honor, Oficial Real, y Provincia, segun las leyes, Bretanicas, me permitan, de todos los danos, perjuycios, atrasasos, y menos Cabos, que se me puedan seguir de dha entriega ante los testigos que abajo, firman, asta que londres sea quien dicida, Con mas Costas, danos, y gastos, que en Londres biejo, se puedan Causar, ateniendome, yo Como Tndrê, de dhos efectos exsistentes en Nueuo Londres, a que dar Releuado, de todo dano, perjuycio ò menos Cabo, que a el mas leue ynteresado, se le pueda seguia, y que estos, tengan lugar en Londres de poder recobrar, todo el que se le hubiere seguido, por razon de las de moras y atrazos causados, por Vuestro honor, y Oficial Real, del Predicho Nueuo Londˢ que es fecho ut supra:

JPH MIGᴸ DE Sᵀ JUAN*

testigos
ROBᵀ MONTGOMERY
Wᴹ BRINTNALL
ANTONº BIVAS

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*GUINZA [WINDSOR], Aug. 30, 1753.

Honorable Senor Governor of the Province of Connecticut.

Sir:

By the advices that I have just had from the officers of the Spanish packet-boat named Sta. Helena and St. Joseph, of the port of New London, that by order forwarded from your Honor (whose date I do not know), they were to transfer the charge of my cargo in said port to Mr. Henry Lane, merchant of the city of New York, in company with Mr. Andrew Mackenzie, the whole of which, according to advices, by order of your Honor, the royal official of said New London gives over to the parties mentioned; and in regard that I have not consented in any manner [to transfer] the said whole to the parties so designated, I protest before your Honor, toward your Honor, the royal official, and the province, as the British laws permit me, against all the damages, detriments, losses, and diminutions that may result to me from said transfer, before the witnesses who sign below, so far as London may decide for either one, with further costs, damages, and expenses which may be caused in old London, insisting, as guardian of said effects existing in New London, on being given relief for all damage, detriment, and diminution which may fall upon the lightest shareholder, and that these may have opportunity in London to be able to recover all that has ensued for them on it, by reason of the delays and losses caused by your Honor and the royal official of the aforesaid New London, which is done as above.

JPH MIGᴸ DE Sᵀ JUAN.

Witnesses
ROBᵀ MONTGOMERY
Wᴹ BRINTNALL
ANTONº BIVAS

ROGER WOLCOTT'S ADVERTISEMENT.

Whereas Don Joseph Migal D St Juan Supercargo and Director of the Snow St Joseph and St Helena Lately brought into the Port of New London by Distress Hath Complained to me that altho he hath often Advertized all persons that have any Demands on the said Snow and her Cargo to bring in their Accounts to Joseph Hull Esqr Collector in said port that they may be speedily setled yet such Accounts have Not been brought in to his Very Great Damage and Delay Which for the future to prevent and that all persons may have their Right

I Do hereby Advertize all persons to bring in their Accounts of all such sums as they Demand on the said Snow and her Cargo before the 7th day of September Next on penalty of Looseing the sums they Respectively Demand

Given under my hand in Windsor this 30th day of August Anno Dom 1753

R Wolcott Govr

To Joseph Hull Esqr to publish in the Town of New London

HENRY LANE TO ROGER WOLCOTT.

Sepr 1st 1753.

Sir

Noe doubt Your Honour will receive information, from the Spanish Merchant greatly to the prejudice of my Character, & others, in regard to his Affairs, as I am apprized of Your Honours ordering a meeting of the Councill in regard to the same, to be on the Eleventh Instant, Wherefore think it my duty in justification thereof, to give Your Honour some narration of the Case. I need not inform Your Honour, that I have been employ'd in the above said Gentlemans service, near this seven Months, at the entire neglect of all my own buisness, when in New York, as well as Connecticutt, to my very great damage as will appear when proper occasion, and time, will permitt, allsoe at the hazard of my

Life & health in journeys & passages by Land and Water on his service, never regarding weather to promote his Interest (wth expedition)

Your Honour doubtless has been informd, that when the Merchant was last in York, Joseph Hull Esqr wrote him, if he would venture himself once more to New London he was ready to deliver the Cargoe, taken out of the Snow St Joseph & St Hellena (to him and his Agents,) on Letter in the affirmative, that he would as far as resonable, and the said Merchant then requested me to Hire a Boat to proceed wth accordingly, (which I did) But first advisd him not to attempt goeing, unless he was determind to have the Accots settled, & that I might receive the Cargoe immediately, which he then agreed to, & desird I would attend him for that purpose, I then told him, I had sufferd greatly in Losses by attendance on his buisness, & neglect of my own, besides the absence from my Family, charges & fateagues, therefore I should expect a Commission, of two and a half ℔ Cent on the Cargoe, If went up again, for the same, Tho a proper mercantile Commission according to the Custom of North America would be Five ℔ Cent.

He desird to consider the same till next day, when he told me before evidence, that he agreed, to allow me the same.

And we then embarqut for New London, Where when we arriv'd, I could not prevail on him to forward affairs in any shape (for a considerable time) in regard to the settlement of Accots or sending to Your Honour, for your permission, to receive the Cargoe, & confirmation of the Charter, of the Ship Nebuchadnazer, Which Permission when received He told me he did not know when he should goe to Spain, perhaps not this five, or six Months, And as to the Accots depending, he should not trouble himself about in settling for some time, & desird I would give him all the papers in my possession, & I might goe to New York, and when he had occasion of me, would send, & then would pay me according to agreement, for at present he could not pay any thing. Which I lookt on as triffleing, and from the in-

formation, I had from a Person who came w^th^ him, as allsoe The information M^r^ M^c^Kenzie gave another Gentlemenan, & my self, That he had from the Priest, That neither the Merchant, second Cap^n^, or Boatswain, durst goe Home to Spain, was a confirmation to me in regard to their Behaviour, & that in fact, I suspected, they did not design it

Wherefore in regard to the Owners; and the Credit of the Province, & to frustrate any ungenerous designs which too plainly appeard, I determind, by virtue of the Power & Authority I had from Your Honour, and the Merchant, to settle the Collector, Coll Saltonstall, & Cap^t^ Durfys Acco^ts^ & to receive the Cargoe, (Which said Acco^ts^ are settled) & part of the Cargoe received & Shipt, it appearing for the Owners Interest to have the same sent away immediately

As the Interest on said Cargoe for six Months would amount to alarge Sum, besides the expenses attending the same & risque. After settling those Acco^ts^ I received from Gurdeon Saltonstall Esq^r^ a Box suppos'd to contain Gold, to the value of Five Thousand Dollars in Doubleloons, in which a great fraud appeard, as will be manifest, by an affidavit, in the hands of Coll. Saltonstall. Refer to your Honours judgement on that head, as Coll. Saltenstall, has given some information in regard to it, & the motives why I am induc'd to think some Principle Persons belonging to that Vessel to be concern'd. As Your Honours orders has Delay'd the Shiping, the remainder of the Effects for some time, I am now agoeing to New York, as cannot be perticularly usefull here, Tho as I am Authoriz'd by my power to appoint one or more Agents under me too transact said buisness, I have appointed Cap^t^ Joseph Smith my Attorney, in my absence, Who will receive the Effects, when has Your Honours approbation.

This being wrote in haste, Your Honour will excuse any Errors or Omissions, That might have been usefull. I am w^th^ respect

Sir Your Honours
Most Obed Serv^t^
HENRY LANE

The Hon^ble^ Roger Wolcott Esq^r^
[Indorsed] Henry Lane Sep^r^ 4 1753

MATTHEW GRAVES TO ROGER WOLCOTT.

May it please Yr Honour

At ye Request of ye Merchant of the Spanish Snow, I am desir'd to present his Compliments to You, & to inform You, yt he humbly begs ye Favour of you to postpone ye Sitting or Convening of ye Council upon his Affairs to the 21st day of this Month, wch he will acknowledge as a singular Instance of Yr Goodness. I am

Sr Yr Honrs

most obedint & humble Servt

MATT GRAVES

N. London Sepr 4th 1753

[Indorsed by Wolcott] from Mr Graves Sepr 4 1753

ROGER WOLCOTT TO JOSEPH MIGUEL DE ST. JUAN.

Sr

Whereas you have showed me that the snow St Joseph & St Helena Lately put in to the port of New London by Distress is Intirely unfitt for the seas and that you are under a Necessity of obtaining a Vessell in order to Carry to old Spain the Cargo brought into sd Port of New London

And thereupon have prayed me to grant you leave by your self or your Agents to Charter a Vessell in this Government for that use

I have Considered the same & do hereby Grant you Leave to Charter the ship Calld the Nebuchadnezzar Now lying in the port of New London for the use aforesd Dated in Windsor this sixth day of September Anno Dom 1753 and in the 27th year of His Majesties Reigne

[ROGER WOLCOTT]*

To Don Joseph Miguell de st Juan Supercargo and Director of the Snow St Joseph and St Helena and her Cargo [Indorsed] Order to Don Joseph to Charter a ship Sepr 6 1753

* A signature, which the subject matter of the letter as well as the fact that the document itself is in his handwriting shows to have been that of Roger Wolcott, has been cut out.

ROGER WOLCOTT TO JOSEPH MIGUEL DE ST. JUAN.

Sr

I do Alow and permit you to sell the Snow St Joseph and St Helena lately brought in to the port of New London by Distress with her Aparall and all her Apurtenences for the use of the owners. And also to receive of the Colector of His Majesties Customs for the said port the Cargo brought into said port by said Snow and to Ship them on bord the ship Nebuchadnezzar for the Port of Cadiz in old Spain Dated in Windsor this sixth day of September Anno Dom 1753

R. WOLCOTT GovR

To Don Joseph Migull de sT Juan super cargo and Director of the snow St Joseph and St Helena and her Cargo [Indorsed] order to Don Joseph to sell the Snow and Ship the Cargo Sepr 6 1753

WILLIAM SHIRLEY TO ROGER WOLCOTT.

Boston September 22. 1753

Sir,

At the desire of the Council & House of Representatives of this Province, I send your Honour the Copy of a Vote of our General Court, Proposing a Meeting of some of their Members (appointed likewise to treat at some Place within your Colony with Commissioners from the Governmt of New York, concerning the Boundaries between the two Provinces, in October next) to confer with Gentlemen to be appointed by your General Assembly (if they shall think good) for Encouraging and Facilitating Trade & Commerce between this Province and the Colony of Connecticut.

I cannot but hope that such a Conference wisely managed by both Parties, will have a happy Tendency to promote the mutual Benefit of both Governments and the Inhabitants thereof, and may restore that good Correspondence between them, which hath been in some measure interrupted for some Years past; Tho' while it subsisted,

even from the early Times of their Settlement, was always found much to conduce to their mutual Benefit both in Point of Commerce and Defence against the Designs and Assaults of their common Enemy. And I can assure Your Honour that nothing shall be wanting on my Part to restore and strengthen a good Agreement between the two Governments in all Respects. Please to lay this Affair before your General Assembly when they meet, and let me know their Resolutions thereupon.

I am with great Respect
Sir, Your Honour's
most Humble
& most Obedient Servant
W SHIRLEY

The honourable Roger Wolcott Esq^{r}
[Indorsed] From Gov^{r} Shirley Sep^{r} 22 1753

JONATHAN BELCHER TO ROGER WOLCOTT.

May it please Your Honour

I hope mine of the 27th of the last Month, is got well to Your hands.

This comes, Sir, as an earnest request, in favour of the Infant College of New Jersey, and is intended to be deliverd you, by the hands of the Reverend M^{r} Pearson, and M^{r} President Burr, who carry a Petition from the Trustees of this College to Your Honour, and Your General Assembly at New Haven, for their leave to draw a Lottery in Your Colony.

From the most Careful Observations, I have been able to make for 6 years past, of the People in this, and some of the Neighbouring Colonies, my Heart has been much engaged, to Encourage and promote this Seminary, for Advancing Learning and Religion, as I believe it is what will be Acceptable in the sight of God our Saviour, and Your Smiles and Countenance in this matter, will be laying a great Obligation on the Governours of New Jersey College,

as well as on the People in General, of the whole Province, and I shall Esteem it a mark of Your real Respect for

Honourable Sir

Your Friend & most Obedient Servt

J BELCHER

Elizabeth Town (N J) September 27th 1753

Governour Wolcott

JONATHAN BELCHER TO ELISHA WILLIAMS.

Sir

I find upon looking back, that I wrote you the 30th of December, in Answer to two Letters I had recieved from you, of 23d of October, and 25th of Novemr, immediately preceeding, and my Letter to you Cover'd one to Doctor Ayscough, and another to Mr Partridge, asking their favour and good Offices, in any Application you might make to them, and these Letters I coverd to Mr Abiel Walley at Boston, to be forwarded to you, and which I hope got to your hands at London, and that they were of no disservice.

I was very glad to hear, after Encountring so many difficulties, as you were Obliged to, that under the favourable protection of Divine Providence, you are well returnd to to your Native Country, where may you live long in Health, Ease, and Honour, serving your Generation, according to the Will of God, and so be well accepted among the Multitude of your Brethren.

You will please, Sir, to forgive the trouble I now give you, being at the Request of the Trustees of our little Infant College of New Jersey, which does Struggle hard to Creep along, for want of that just Regard from the Assembly of this Province, which I really think due, to a Seminary for Religion and Learning, founded upon the most Catholick and Generous Principles, but such is our present Misfortune, and which puts us upon asking the Kindness, and Benevolence of our Friends and Neighbours; and this therefore Accompanys the Reverend Mr Pearson, and Mr President Burr, who carry with them a Petition from our

Trustees, to your General Assembly at New Haven, for their leave to set up and draw a Lottery In some part of your Colony, to assist us in Building the College, which we propose to begin upon early in the Spring. Upon my Critical and most Mature Observation for six years past, I dont believe any part of the Kings Dominions, stands in more need of such a Seminary, for Instructing and Enlightning the minds of the People in general, of these Southern Colonies, in the Principles of true Religion, and in Human Literature, and as I really think it is a thing, which will be Acceptable in the sight of God our Saviour, my Heart is warmly Engag'd, to do ev'ry thing in my power, before I go hence to be here no more, for the Encouragement and Establishment of this Society

And as I know you are a Gentleman of great Weight, and Influence in the Colony of Connecticut, I now take the freedom to ask your Countenance, and good Offices, that we may recieve a favourable Answer to the Petition, which is to be laid before your General Assembly, and your kindness in the matter, will be most Gratefully accepted by the Governours of the College, and I shall Esteem it a mark of your Respect and friendship to my Self, to be retaliated in such way and manner, as shall be in my power, and you may please to ask of

Honoble Sr

Your Friend & very humble Servt

J BELCHER

Elizabeth Town (N J) Septemr 29: 1753

Coll Williams.

GEORGE CLINTON TO ROGER WOLCOTT.

New York 2d October 1753

Sr

The Case of Don Joseph Miguel de St Juan, who had the Misfortune, by Distress, to be brought within your Government, in it's present Circumstances is truly affecting. I am not insensible of the Consequences of it, which will

probably give a great deal of Concern to His Majesty and the Government at home, and will occasion the utmost Exertion of the power of Government for the Redress of his Wrongs. He earnestly desires of me that I would so far interest myself in his Affairs as to write to your Honour, to interpose in his behalf with relation to the Ship which has been purchased by Henry Cuyler Junr and Henry Lane for the conveyance of him and his Cargo to Spain.

I doubt not but every thing will be done by your Honour and the Government of Connecticut, consistent with the Laws of Trade and the protection and assistance that is due to a Forreigner; and that your Honour will give him such Possession and Disposition of the said Vessel and Cargo and the Government of the said Vessel as to the Master and Marriners as is consistant with the Statutes of Great Brittain, and his Right as a Forreigner, whose Prince is in Amity with Our Sovereign. Don Joseph complains of the Want of Papers, which are kept by one Joseph Smith, whom Messrs Lane and Cuyler have constituted Master of that Ship. I can not undertake to give my Opinion with relation to the Matter of his Grievance, but thought fit, upon his Application to me as a Stranger, to write this to your Honour, heartily wishing this Gentleman might have had his Dispatches from the Brittish Dominions before this time, his Case being such, which I fear, considering it in it's whole Extent, will give much Trouble to the Brittish Nation; I am with very great Truth

Your Honours
most obedient Humble Servt
G. CLINTON

Governour Woolcot
[Indorsed] From Govr Clinton Oct 2 1753

DANIEL BLAKE'S PETITION.

To the Honorable General Assembly to be Convened at New Haven on thusday the 11th Day of Octor A D 1753. Gentlemen whereas his Excellency Bening Wentworth Esqr

Survayer General of his Majestys Woods In North America has been Pleased to Depute me his Deputy to take Care of & to Seize all white Pine Timber Cut and Destroyed Contrary to Acts of Parliment In that Case made and Provided and out of faithfullness to his Majesty and the Care and trust Reposed In me I have Seized Several Loggs & Masts &c that have been Cut Contrary to the Acts of Parlament and the tryals of those Seizers haveing ben Put of by Reason there is no officers appointed by this Goverment Under Judge Morrice Esqr to Supply the vacant Posts of the Court of Admiralty In Conecticut and the advocate General the Regestor and Marshalls of the Courts of Admiralty In other Goverments Living So far Remote and the Great Charge of those officers traval to Supply the Vacant Posts In this Goverment Under the Honorable Judge Morrice Esqr Judge of sd Court of admiralty In Conecticut I have Proposed to the Honorable Benning Wintworth Esqr to have those affaires Proper for the sd Court of Admiralty Under the Honorable Judge Morrice Esqr to be Supplyed Out of this Goverment and have Nominated to his Excellency Mr Samll Johnson to be Advocate General; Mr Samll Merriman to be Register & Mr Wm Wright to be Marshall of Said Court of admiralty wch Nomination his Excellency Consented to and Doubted not but Oure Assembly would Nominate and Appoint the Same Gentleman In theire Respective officers without Some Meaterial Objections this is therefore Humbly to Desire the Honorable Assembly to Appoint the sd Samll Johnson Advocate General the sd Samll Merriman Registor and the Said william Wright Marshall of Said Court of Admiralty In Conecticutt So that when theire is Occation Persons Braking his Majestys Laws there may be Punished by sd Court others Detered thereby from Breaking his Majestyes Laws and his Majestes Timber Reserved, all which is Humbly Submitted from Your Most Humble Servant

DANIEL BLAKE

Daited Octr ye 8th 1753

JOHN CHANDLER TO JOSIAH WILLARD.

WORCESTER Octo^{r} 10th 1753

S^{r}

I set out for Hartford the 2^{d} Instant & got there y^{e} 4th & in my way Waited on Governour Wolcott at Windsor, who inform'd me that every thing in their sec̆rys office Relateing to the Settlement of the Line between the Govern^{ts} would be open to my View and I might have Copys as I pleased. when I came to Hartford I found their Gen^{l} Court was to meet at New Haven this day, and the Sec̆ry being Deeply ingaged in matters of moment that must be compleated before he went to Court, I was obliged to Return without the Copys I went for were they to be had; The Secry was very willing to do all in his power, and said he had often look'd but could not find the Grand plan or Runing from Woodward & Saffreys station to the West part of Westfield, perfected at Boston in Decem^{r} 1713 nor could he find y^{e} proceedings of the Riding Comissioners, and therefore concluded there never was any thing of that nature at least butt Very Little done. In my Journey to Hartford I went by Woodstock where I got a Copy of the Grand plan attested by y^{e} Late M^{r} Sec̆ry Wyllys which surprized the present Sec̆ry. I also shew'd him a Copy of y^{e} proceeding of the Riding and Siting Comis^{rs}.

I have given him a List of all y^{e} papers I could think off from his office (Ruff copy of which I inclose) and have his word that When there Assembly is up he will make a thorô Search

He Express'd a good deal of concern at our Governments not meeting or joyning Comis^{rs} with those they appointed about the time the four Towns went or were about going off being pritty positive the controversy might have been accomodated with Ease, but as we deny'd meeting them and the Agents of those Towns constantly applying to their Court, they but with Some difficulty took them under their protection by Extending the Countys of Hartford and Windham home to the North Line or bound of there Charter without So much as naming one of those Towns.

I am not without hope Some good might follow on an interview with them, but as there Assembly will be up before our will meet it cant be at present if it were best

I Purpos (God Willing) to be at Boston y^e^ 2^d^ week of the Gen^l^ Court Siting (the first week in Nov^r^ our Inferiour Court Sit) when I can give a more full account.

I am with my Most Dutifull Regard to

His Excellency The Governour & the Hon^le^
His Majtys Councill
Your Hon^rs^ Most Obed^t^ hum^l^ Serv^tt^
JOHN CHANDLER

Hon^le^ Josiah Willard Esqr

[Indorsed] Col^o^ Chandlers L^r^ enter'd in L^r^ Book Col^o^ Chandlers Letter to the Secretary October 10 1753

JOSEPH MIGUEL DE ST. JUAN'S PETITION TO THE GENERAL ASSEMBLY.

To the Hon^ble^ the General Assembly of the Colony of Connecticut in New England in America, now Setting in New Haven in the Colony aforesaid.

The Petition of Joseph Miguel de S^t^ Juan Humbly Sheweth.

That Your Honours Petitioner, being a Subject of his most Catholick Majesty the King of Spain, did on or about the Month of August Anno Domini 1751 Sail from the Port of Cadiz in Old Spain on Board the Snow S^t^ Joseph and S^t^ Helena, as Super Cargo, and Director of said Snow, and her Cargo (duely Authorized and Appointed to said Charge) for the Port of Honduras in New Spain: where he Arrived, and there Received on Board said Snow Forty Chests of Silver, Containing about Two Thousand Dollars each, and one Chest of Gold of the Value of about Seven Thousand Dollars, and also Plate, and Several Hundred Seroons of Indigo, and other Valuable Merchandize, of the Value of more than four hundred Thousand Spanish Dollars in the whole; all which said Money, and Cargo was Registered at Guadamala in New Spain; That sometime in the Month of August 1752

He Sail'd from said Port of Honduras in said Snow, with said Cargo on Board, for the Havanna on the Island of Cuba, & from thence proceeded in the Month of October following, on his Voiage for the Port of Cadiz aforesaid;— That having been sometime at Sea, the said Snow proved very Leakey, and being in Distress, your Petitioner and the Officers, and People on Board Thought it unsafe to proceed on said Voiage; and being far to the Northward, and Meeting with Capt John Simpson in the Brigg Called Susannah, bound for the Port of New London in the Colony aforesaid, who Offered to Conduct them into said Port they stood to the Northward, and sometime in Novembr last made said Port: but unfortunately (and as Your Petitr thinks by the Evil Design of some Persons on whome he Depended as Pilots) Getting upon a Reife of Rocks off the Mouth of the Harbour of said New London, they were obliged to Leighten said Snow and put the Cargo on Shore in said New London;—That soon after Joseph Hull Esqr Collector of his Majestys Customs for the said Port of New London, took the Monies, Goods, and Merchandizes taken out said Snow as aforesaid, into his Care, & Custody, as Collector, and agreable to an Order for that purpose to him, from the Honble Roger Wolcott Esqr Govr of this Colony, (as your Petitr was Informed.

That in December last a Court of Vice Admiralty was held in said New London by the Honble Lewis Morris Esqr Comisary & Judge of said Court: That said Court then Ordered, & Decreed a Salvage to the said John Simpson (who Libelled said Snow, & her Cargo in said Court, for that purpose) of Twenty three Thousand Spanish Dollars, for Saving said Snow, and the Money Plate & Cargo on Board her; and also Allowed said Simpson [ ] Costs and Charges, Said to have been Expended by him in saving said Snow &c, And it was further Ordered by said Court, That the said Decree being Satisfied, the Residue of the Money Cargo &c should be Delivered to Your Honours Petitioner.

That in February last, pursuant to an Order of said Court, Mr Joseph Chew of New London, a Marshal of said Court, Sold at publick Vendue, Thirty Seroons of Indigo, part of the Cargo aforesaid to Messrs Henry Cuyler Junr and Henry Lane of the City of New York, for Twenty five Thousand and Two Dollars: And received the same in full Satisfaction of said Decree & Charges &c; which Sum of Twenty five Thousand and Two Dollars your Petitr had before delivered to said Cuyler and Lane to purchase said Indigo:—That your Petitr for the Purposes aforesaid, and to pay the Officers and Men belonging to said Snow, and to Defray other necessary Expences, receiv'd of Joseph Hull Esqr aforesaid, at divers Times Twenty Chests of Silver:—That sometime toward the Latter End of March last your Honours Petitr presented a Petition to the Honble Roger Wolcott Esqr aforesaid, Desiring his Honr to permit and Allow said Cuyler and Lane to Charter some suitable Vessel for him in this Colony, to Transport the Money, and Cargo taken out of said Snow to Cadiz in Old Spain (the said Snow having been Condemned as unfit to be repaired for that purpose) and to receive the said Money and Cargo (paying all reasonable Charges) and Ship the same for said Voiage; and that his Honr would be pleas'd to give all necessary Orders for that purpose; which Petitn his Honr did not think proper at that Time to Grant.

That said Cuyler & Lane soon after purchased the Ship call'd Nebuchadnezer, now Lying in the Port of New London of Mr John Eliot of New Haven, and took a Bill of Sale of her to themselves: and Afterwards Chartered her to your Petitr for a Voiage to Cadiz to Transport the aforesd Money and Cargo home to the Owners thereof; And your Petitr Delivered to said Cuyler & Lane four Thousand Seven hundred & fifty Dollars, to pay for said Ship taking said Lane's Receipt for the Money.

That your Petitr on the 27th or 28th day of April last (having first Offered to pay said Joseph Hull Esqr his Account tho' he thought it very unreasonable, & Extravagant; and allso sett up Advertisements in said New London

to Notify all Persons who had any Demands against him to bring in their Accounts in Order to a Settlement and none appearing) Did Demand of the said Joseph Hull Esq^{r} all the Money and Goods in his Custody as aforesaid, that the same might be shipt for the Voiage aforesaid: But the said Jos: Hull Esq^{r} refused to Deliver your Petit^{r} the said Money or Goods, or any part of them: Notwithstanding his Hon^{r} the Gov^{r} had Just before Wrote a Letter to the said Joseph Hull Esq^{r} (as your Petit^{r} has been Informed) Advising him to Deliver said Goods on such Request; and Informing him that a Writ of Replevin had been Requested of him in behalf of your Petit^{r} to take the said Goods out of his the Collectors Hands, which Writ he should Grant on furthur Request, if the said Goods were not Immediately Delivered: which Letter (your Petit^{r} understands) was Delivered to the said Joseph Hull Esq^{r} by M^{r} Samuel Fitch.

That thereupon your Petit^{r} went to New York in [ ] to take further Advice:——That sometime in the Month of June last while your Petit^{r} was in New York the said Joseph Hull Esq^{r} wrote to your Petit^{r} That if he would Return to New London & Receive the said Money and Cargo, he would Deliver the same to your Petit^{r} upon his paying all Demands, or giving Security for that purpose:——That sometime in August last y^{r} Petit^{r} accordingly returned to New London (with M^{r} Henry Lane aforesaid) in Order to receive the said Cargo; Having first wrote to the said Jos: Hull Esq^{r} That if any Demands were made of your Petit^{r} which he should think unreasonable, he would not pay them, but would Deposit so much Money in his the said Collectors Hands as should be sufficient Security to him for that Purpose; and would Seek his Remedy elsewhere:—— That your Petit^{r} after his Return from New York rec^{d} of said Collector Six Chests of Silver; which, with what he had rec^{d} as before mentioned, is all he ever Rec^{d} of said Money, or Cargo.

That soon after his Arrival at New London, Your Petit^{r} wrote a Letter to his Hon^{r} the Gov^{r} in Spanish: which he

sent together with a Translation thereof in English, which Translation is in the Words following Viz:*

* * * * * * * * * *

That the said Letter was Delivered to his Hon^{r} the Gov^{r} who was pleas'd to Return the following Answer to your Petit^{r} viz.—**

* * * * * * * * * *

That your Petit^{r} after he rec^{d} said Answer from his Hon^{r} the Gov^{r} Tarried in said New London more than a Week.——That said Henry Lane demanded of your Petit^{r} Two & half ℔ Cent on all the Money and Cargo remaining in the Hands of the Collector for Receiving & shiping the same: which y^{r} Petit^{r} thinking unreasonable would not Allow: And thereupon your Petit^{r} went to wait on his Hon^{r} the Gov^{r} & Carried said Answer he had rec^{d} from the Gov^{r} as aforesaid with him, in Order to get the same altered and that your Petit^{r} himself might be allowed to receive & Ship said Goods &c. agreeable to his Request in his Letter aforesaid to the Governour.

That your Petit^{r} before he left New London gave a full Power of Attorney to Don Domingo Serundo the second Cap^{t} of said Snow to take Care of his Affairs, and se that nothing should be done during your Petitioners Absence, to his Disadvantage: and also thereby Revoked all other former Powers by him given to any Person or persons whatsoever.

That as soon as your Petit^{r} had left New London, the said Lane in Order to get the said Money and Goods into his own Hands Undertook as Attorney to your Petit^{r} to pay of sundry Accounts (which your Petit^{r} thinks unreasonable) and rec^{d} Money of the said Jos: Hull Esq^{r} for that Purpose; and the said Joseph Hull Esq^{r} (as your Petit^{r} has been Informed) Delivered all the s^{d} Moneys, & great part of the Cargo aforesaid to said Lane; who shipt the Goods, so Delivered [ ] Board said Ship Nebuchadnezer, with some

*Here follows the letter of Aug. 20, 1753, already printed on page 363.

** Here follows Wolcott's letter of Aug. 22, 1753, already printed on page 364.

part of the Money, and making such Distribution of the Residue as he thought proper, went off to New York Carrying with him four Chests of Silver (as your Petit^r has been Informed)——And your Petit^r has also been Informed, That the said Chest of Gold, on being opened, was found fill'd with stones & sand, instead of Gold; but by whome it was done your Petit^r is wholly Ignorant.

That while these Things were Transacting & before the Goods were Delivered the said Don Domingo Serundo understanding what was Doing shewed the said Jos: Hull Esq^r his Power aforesaid, & by Virtue of the same forbad him to Deliver any of the Money or Goods, and Begg'd the said Joseph Hull to Deferr the Delivery of said Money and Goods for three Days only till your Petit^r might have Notice thereof and Return; but said Jos: Hull refused to make any Delay in Delivering the said Money & Goods, agreable to said Request; but proceeded as before mentioned in Opposition to the Request & Remonstrance of the said Don Domingo Serundo: whereupon the said Don Domingo protested against all the proceedings aforesaid of the Collector aforesaid.

That your Petit^r having Notice of the proceedings aforesaid while he was with his Hon^r the Gov^r Immediately requested his Hon^r to send an Order to the said Jos: Hull Esq^r to stay all further proceedings, & not to Deliver the Cargo: which Order his Hon^r was pleased to send accordingly: and thereby prevented (as your Petit^r Supposes) the Delivery of some part of said Cargo: And your Petit^r thereupon immediately in the presence of the Gov^r protested against all the proceedings aforesaid of the Collector in Manner as aforesaid.

That your Petit^r Returning soon to New London found his Affairs in this Miserable, perplext, and Deplorable Situation.

That soon after your Petitioners Return to New London his Hon^r the Gov^r was pleased to write to him in the Words following viz ——*

* * * * * * * * * *

*Here follows Wolcott's letter of Sept. 6, 1753, giving permission to charter the Nebuchadnezzar, already printed on page 373.

And at the same Time his Hon^{r} was pleasd to write further to your Petit^{r} as follows——viz——*

* * * * * * * * * *

That the said Ship Nebuchadnezer is since Attach'd as the Property of said Lane by some of his Creditors (the said Lane having Broke as your Petit^{r} is Informed) and is now under the Care of the Sheriff of the County of New London, by Virtue of said Attachment: the said Goods being still on Board her as aforesaid.

And your Petit^{r} begs Leave to Observe to your Honours That he has reason to Apprehend, he has already Suffered great Loss & Imbezzelment of the Money & Cargo aforesaid by Ways & Means unknown to your Petit^{r}, for which Reason he Cannot safely receive the Residue of said Money & Goods without first Enquiering & knowing what part of the same still remains, and what part is taken away or Lost: which Enquiry your Petit^{r} is unable to make at present by Reason That the said Cargo being Registered as aforesaid in Order to secure the Dutys arising therefrom to his Majesty the King of Spain and your Petitioners Orders such as absolutely prohibit him Opening any Chests, Boxes, or Seroons which Contain the said Money and Goods, in order to se what is in them, and wheither any thing be taken away, Imbezzeled or Lost; for which Reason and also by Reason of said Attachment Laid on said Ship as aforesaid your Petit^{r} is unable at present to proceed on his Voiage aforesaid to Spain, or to send the said Goods Home to the Owners;

That your Petit^{r} has Sent Don Christobal Urranaga first Cap^{t} & Don Domingo Serundo Second Captain of s^{d} Snow (who are well Acquainted with all the Circumstances of the Affair) Home to Spain, and has Wrote by them a full Account of all the Matters & Things aforesaid, to the Owners, & Persons Concerned, & Desired such Advice & Orders relating thereto may be sent him, as shall be Neces-

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* Here follows Wolcott's letter of Sept. 6, 1753, giving permission to sell the St. Joseph and St. Helena, already printed on page 374.

sary; which he Expects as soon as Return can be made:— That the said Money and Goods on Board said Ship are greatly Exposed Divers Ways to be lost, & Imbezzeled:— And your Petit^{r} (if he should receive the same) is utterly unable to Protect or secure them.

Wherefore your Petit^{r} humbly prays that your Hon^{r} would take his unhappy Case into your Consideration: and Order the said Joseph Hull Esq^{r} to unship the said Money & Goods, & take the same again into his Care and Custody, and keep them safe, to be Delivered to your Petit^{r} when Required thereto for the Use of the Owners; or that your Honours would otherwise Order the same to be unshipt, and take them into your Care & Custody to be kept safe for your Petit^{r} to be Delivered to him when he shall be ready to receive the same for the Use of the Owners: And also that your Honours would Grant him all such Assistance as may be necessary, and so far as you in Wisdom & Justice shall se fit, in order to secure the said Ship to your Petit^{r} for the purposes aforesaid: And in order to restore to him any Papers that are or may be unjustly Detained from him; And also to Impower his Hon^{r} the Gov^{r} with the Assistance of his Councel, to Appoint proper Persons (if hereafter Desired thereto by your Petit^{r}) to make full Enquiery with Regard to any Losses, or Imbezzelments, that have Arisen, or been made of said Cargo, or that may hereafter arise, or be made, and to take Affidavits relating thereto in Perpetuan Rei Memoriam; And Generally to Grant your Petit^{r} all that Assistance & Protection with Regard to his Person, & Property which by the Law of Nations belongs to a Foreigner, whose Sovereign is in Amity with the King of Great Brittain

And your Petitioner as in Duty bound shall ever Pray

JPH MIGUEL DE S^{T} JUAN

Dated at NEW HAVEN Oct^{o} 16: 1753

[Indorsed] Petition of Don Joseph Miguel de S^{t} Juan Oct^{r} 1753 deliv^{d} in 16th Oct^{r} 1753

RICHARD PARTRIDGE TO ROGER WOLCOTT

London Octor 19th 1753

Govr Wolcott

I have duly recd thine dated 30th July last with the large Packet of writings relating to the Boundaries between your Colony & the Massachusetts wherein I find is the Case Stated, with which I have been with our Solicitor discoursing him upon it and ordered a proper Case to be drawn up from it to lay before Council for an Opinion thereupon before we proceed to exhibit a Petition to the King in Council, & according to the proper advice we shall get, whether to wait the Motion of our Antagonists (which yet has not been made) or to bring it forward ourselves; whenever it is moved here it must be by Petition which of Course will be referrd as usual to a Comitee of Lords of the Council who upon the first hearing will order Commissioners to be appointed out of your Neighbouring Colonies, or first referr it to the Lords of Trade & Plantations & they will undoubtedly advise to a Comission under the great Seal, & not take upon them to decide Such an Affair at Such a distance, which they will judge can only be done in the Country where the dispute arises—the Expence of which Commission in taking it out will be upwards of £100: Sterl. to us here besides Counsel fees & other Charges, but which way soever shall be judged most expedient, I shall let nothing be wanting towards bringing it to a good Issue for us.

As to the Affair of Mason & the Mohegan Indians it remains as it has done for a considerable time & nothing further: he can't yet compass his Aim in getting Money from the Treasury which doubtless is the Cause of its Sticking as it does—& now in order to bring that to bear I hear he is trying to make interest wth the Duke of New Castle to see what his influence will do with the Lords of the Treasury, but after all I dare say he will not Succeed yet for some time: I saw him a fews days ago at a Coffee house receiving a little money which a Capt of a Ship brought him from Boston. I have drawn up a Short State of the Case

relating to Mason which I intend shall be laid before the Duke to let him into the Affair that he may not be imposed upon: which I shall give thee a further accoᵗ of hereafter.

I have honoᵈ all thy draᵗˢ on me amo: to £2002 1 6 & have sent thy letter to Dʳ Avery & note thy intimations relating to him; & when he sends to me, If there be any Ball. due to him or any of thy Bills on him protested I shall according to thy order pay them & send the Colonies account.

And now as to the important Affair mentioned in thy other letter of 30ᵗʰ July relating to the Spanish Ship called the Sᵗ Joseph & Sᵗ Helena whose Treasure was saved & Safely landed in your part of New London; I have duly observed thy Information thereabout, & when ever any thing is Stirring here in that Cause I shall be sure to hear of it, & Shall with proper advice of Council Act in defence of the Govʳ & Council to the utmost which may be expensive, but I dont See at present we have much to fear from the Protest—I have been at the Secʳʸ of States Office & Council Office, but they have no late accoᵗ concerning it at either of those places. Indeed about half a year ago the Spanish Ambassador made some complaint or at least Information about a Ship of theirs that put into a Port in Connecticutt & of the unreasonable Sum̄ awarded by the Judge of Vice Admiralty there for Salvage—& I was by the Secʳʸ of States head Secʳʸ sent for to enquire of me about it, & thereupon I attended him & gave him what Intelligence I coud about the Affair in writing which accoᵗ I obtained from a Master of a New London Ship who was here in London at that time, which I thought was then Satisfactory & have heard nothing about it since—as it happened [ ] kept by me a Copy of the account I gave to the aforesaid Gentleman [ ] what I had learned which I send thee here inclosed.

It is probable the protest will be sent home to old Spain by the Super Cargo of the Ship & from thence be transmitted to their Ambassadʳ at London who its not unlikely will make a great Stirr in the Affair

I am with due respects to thy self the Gentlemen of the Council & House of Representatives

Thy assured Friend

RICHᴰ PARTRIDGE

P S Care shᵈ be taken in time to secure Evidence for the Colony in Support of yᵉ principal Facts stated in thy Defence in case of need I mean respecting the Span: Ship.

[Superscribed] to Governour Wolcott Connecticutt via N. York

[Indorsed] From the Agent Octᵒ 19 1753

MATTHEW GRAVES TO ROGER WOLCOTT.

May it please your Honour

As yᵉ Convict in Jail has earnestly desir'd my spiritual Assistance, & also yᵉ charitable Advice of good Friends, during her Appointed Time, I hope you will be pleas'd to give Orders, yᵗ they & I may have Liberty & Freedom to visit her at seasonable times, & such as will be most convenient to me. My Attendance upon other Parochial Duties, as well as upon yᵉ young Gentlemen under my Tuition may not always correspond with yᵉ Sheriff's Inclination or Leisure of going to Jail; as I am persuaded your Honours Reflection & Wisdom will not think it proper for a Minister to send for yᵉ Sheriff to grant him Admittance, much less to be lock'd up in a Jail, while he is performing religious Duties. I beg Leave to assure You yᵗ several well dispos'd Persons wou'd readily spend some Hours with her, in order to comfort & assist her wᵗʰ their best Counsel & Advice; but decline, because they must, according to Practice, be lock'd up, & oblig'd to remain there, during yᵉ Sheriff's Pleasure

The poor Criminal was lock'd up, as I understand, seven or eight Days, before yᵉ Court met, & no Soul, no not yᵉ Doctor, tho' she was very ill & expected to die permitted to see her, nor was her Room-door open'd all that time. Endeed while yᵉ Court sat, yᵉ Key was left wᵗʰ yᵉ Jailer; but when yᵉ Court broke up, yᵉ Key was taken

away; so y^t^ neither I or any others are since permitted to go in to see her, or come out, but as he pleases.

I therefore at y^e^ earnest Request of y^e^ unhappy Convict, of several other good Christians, & my own, desire y^t^ y^e^ Sheriff may be order'd to carry himself towards this poor Woman so, as she may not be debarr'd of Christian Comfort to her Soul, y^e^ Opportunity of Godly Edification, & y^e^ Spiritual Offices, w^ch^ she has a Right to demand from me, as her Minister.

If Y^r^ Honour therefore thinks it proper, y^t^ such Persons may visit her, & I may have full Liberty to attend her, at any Hour of y^e^ Day, such as will answer my other Avocations best, &, according to y^e^ Practice, of such Places in England, y^t^ I, as Ordinary, may go at my own Leisure, have free Access to y^e^ unhappy Criminal, & continue there unconfin'd (all w^ch^ y^e^ late Sheriff most readily comply'd w^th^) it will highly oblige

Sir Y^r^ Honour's
most obedient &
very hum^le^ Serv^t^
MATT GRAVES

New London Oct^r^ 22^d^ 1753

P. S. Be pleas'd to condescend to favour me w^th^ Y^r^ Honour's Orders & Directions.

I beg leave to lay before Your Honour y^e^ following Acknowledgement, w^ch^ I wrote from y^e^ Convict's Mouth, & do verily believe it's literally true. I am persuaded it will be very satisfactory to y^e^ Deputy Governor, whose Prudence & Moderation Justice & Mercy cannot be sufficiently applauded, & I presume wou'd have acquitted y^e^ Criminal, had it been in his Power; for I humbly conceiv'd by his Christian, wise & pathetick Charge he thought y^t^ according to Law & Evidence she ought not to die: to w^ch^ let me add, y^t^ having now a perfect Knowledge of y^e^ whole Affair, & her Dying Words relative thereto, I believe from my Conscience, & am morally assur'd, she do's not know y^t^ ever she committed Murder. Tis but lately y^t^ she could be persuaded y^t^ intentional Murder was not real Murder.

Read October ye 21t 1753 in ye Church of England in New London by me Matt Graves

I Sarah Bramwell am ye Person, yt have sinn'd against ye Lord. I did these Things in secret, but ye Lord will shew them before ye Sun. I have greatly offended my gracious God: ye Sins of Pride & Sabbath breaking are ye principal Sins, yt led me on, as well as sinning against all God's Lights & Calls, & ye Sin, yt so easily beset me, & particularly ye imputed Sin of Murder, for wch I am to die: & tho' I am not conscious to my self, yt I committed ye Fact; yet inasmuch as I had it in my Heart, I think I ought to suffer for it: & yet I solemnly & publickly declare I have as much Reason to believe, yt ye Child was dead in my Womb two Days before, as yt it was alive then: & in this particular Instance I absolutely resign my self to him, who searches the Heart, & tries ye Reins, & knows our Tho'ts long before. To God belong Righteousness & Peace, but to me Shame & Confusion of Face. I hope this will be a Call & Warning to all others, especially to those, who are young, as being most liable to these Sins, & be taken Captive at ye Pleasure & Temptation of Satan. As I have greivously Sinn'd & broken God's holy & righteous Laws, I am thereby become a greater Object of his Mercy & Goodness, as also of yr Pity & Charity; & therefore I earnestly desire & beseech You, & all other Christians to offer up Yr Prayers to Almighty God, yt he wou'd be graciously pleas'd to grant me Grace & ye Assistance of his Holy Spirit, Pardon for my great & greivous Sins, those in particular for wch I am to die; & yt I may thro' ye Merits & Mediation of Jesus Christ have my Pardon seal'd in Heaven, before I depart & be no more seen. If I have wrong'd any Man or Woman by false Accusation in Tho't, Word or Deed, I lay my Mouth in ye Dust, if so be there may be Hope; & as I desire to forgive every one, so I desire ye same Christian Spirit may influence & enable them to forgive me: & I beg all in ye Name of him, who is able to keep you & me from falling both in this World & in ye World to come, thro' our most blessed Saviour, Redeemer & Advocate Jesus Christ our Lord Amen

[Indorsed] From Mr Graves octo 22 1753

ANDREW OLIVER TO ROGER WOLCOTT.

Boston 22. Oct^{r} 1753

S^{r}

Our mutual Friend M^{r} Partridge has again wrote me that he should be desirous of some of your Government Bills of Exchange, & that he has desired you to present his bills to me, w^{ch} he drew upon me some time since for this purpose.

If you should upon this fresh application of his incline to send one or both of the said Bills I should take it as a favour if your Honour would send me timely advice, or if you cannot gratify him in this affair, it will however be a convenience to me to know it, that so I may be looking out for other Remittances.

I am S^{r} yo^{r} Honour's very
hum^{le} Serv^{t}
AND^{W} OLIVER

Hon^{le} Roger Wolcot Esq^{r}

ROGER WOLCOTT TO WILLIAM SHIRLEY.

New Haven oct^{o} 22 1753

S^{r}

I heartyly Congratulate your excellency on your return to your Gouernment and Wish that you and your People may be happy in your Administration

By the enclosed Copy you will find that yours of the 22^{d} sep^{r} past has been Laid before our Assembly and What they have done upon it When your Comittee meet in this Gouernment with those from N york ours will attend them upon Notice

It is a pleasure to me to find that your Excellency reflecting upon the the Good Corrispondance that formerly subsisted between the two Gournments to their mutuall Advantage and how the same has in some Measure been lately Interrupted you have Asured me that Nothing on your part shall be wanting to restore it

I assure your Excellency that I am in the same sentiments and have no reason to doubt but that this Gouernment is with mee in it and that Whatsoeuer Controversie has arisen between us will be Amicably setled or Judicially Determined Without Resentment from from either party

I say I have No reason to doubt of this for that altho no party may refuse to setle by Agreement and Chooses rather to be Determined by the Judge yett in this he Gives the Clearest evidence that he thinks he has right on his side and Willingly submits it to tryall by this he secures himself from any just resentment since this is as much as Can be required of an Honest man

Here I must forbear expressing how deeply I am afected by the Death of His excellency Gou^{r} Osborn a Case so awfull in it self and so Instructive to the liveing that as much as in them lyes they Carefully supress heavie Melancholly

I present my service to your excellency and Councill and your Assembly and With much esteem subscribe

your excellencys
Most obliged
very Humble serv^{t}
R WOLCOTT

To His Excellency Will^{M} Shirley Esq^{r}

[Indorsed] New Haven November 22 1753 Governor Wolcotts Letter to Gov^{r} Shirley

QUESTIONS ASKED JOSEPH MIGUEL DE ST. JUAN BY THE GENERAL ASSEMBLY.

Don Joseph Miguel de S^{t} Juan having preferred his Petition to the General Assembly of the Colony of Connecticut at the Sessions in October 1753, The following Questions respecting the Matters in said Petition were proposed to him, before the Governor in Council, To which he gave the following Answers respectively annexed to each Question Joseph Marquez being chosen by said Don Joseph his Interpriter and Sworn accordingly. Which Questions and Answers are as follows viz.

1st What the papers are you complain are detained from you, & desire to be put into your hands

Ansr The Bill of Sale of the Ship Nebuchadnezzer from Mr Eliott to Messrs Cuyler and Lane

2d Whether the Collector of the Customs, for the Port of New London, hath deliver'd You any Keys of the Store-houses, wherein he housed the Cargo, of the Snow St Joseph & St Helena; That you might have the Custody of sd Cargo; According, as was resolved, by my self in Council at New London, in December last, & by the Judge of Vice Admiralty, soon after

Ansr Says he receivd none of the Kees, and knows not who delivered the Keys to Mr Lane

3d Whether you are desireous, that the remaining part of sd Cargo, not yet shipt, should be shipt on board the Ship Nebuchadnezar; and all necessarys be prov[ ] for your Voyage to Spain; to enable you Spedily to proceed on said Voyage; & that to be done at your Cost

Ansr Says he dos not desire it. It is not in his Petition

4ly Whether, if by reason of your present Circumstances, you find it impracticable, to proceed on your Voyage to Spain, before Winter; You desire the Protection of this Government, to Secure the sd Cargo in your hands, on board the Ship Nebuchadnezar; or in some Store house you shall choose, 'till you are ready to proceed on your said Voyage at your Cost & Risque.

Ansr Says he cannot receive them as proposed but desires that the Government or the Collector of the Customs would Take the Cargoe into Custody and if neither of them will do so, that the Owners will seek for Remedy at London, and he will be at no Expence in securing the same

5ly Whether if the Government, at your desire should take into their hands the remaining part of said Cargo, & the Ship Nebuchanezar, & secure the same until you are ready to proceed on your Voyage, you will pay all necessary Costs arising thereon, and also have them lye at your Risque.*

*This question has been crossed out, and the numbers of the questions which follow have been altered.

5th Whether, in Case you should not proceed on your Voyage for Spain Spedily, & the Goods be taken out off the sd Ship, you'l pay off, the Ships Company; and are desireous they should be discharged, from any further service, on board sd Ship.

Ansr Says he has no hand or concern in Shipping the Hands on Board, he will pay none of their Wages, and dont desire them to be continued on Board

6ly Whether, if the Assembly, should order & direct the Governor & Council, at your Request, to appoint any person, to enquire after the Embezelments, that may have been made, or that shall hereafter be made of any part of sd Cargo, & to take Depositions *in Perpetuam Rei Memoriam*, You will pay all the Cost that shall arise thereon.

Ansr Says, The Lawyer that drew his Petition mistook him, he only intended the Governor and is willing to be at the Expence of this; if the Governor may be authorized & Impowered to transact in this Matter himself and desires that Enquiry may be made and Depositions (taken when he shall request the same and not before) after and concerning any of the Cargoe that may be embezzled or unjustly carried away

Interpreter Joseph Marquez

Octr 26th 1753

Teste George Wyllys Secrety

RICHARD PARTRIDGE TO ROGER WOLCOTT.

London Novr the 1st 1753

Govr Wolcott.

I wrote thee of the 19th Ult. on the Colonies Affairs to which I refer, this now serves to bring thee the Colonies Accot the Ball: being £1354 2 6 but thou wilt observe there's nothing charged for our Solr Sharpe yet, & diverse other Occasions depending on which considerable Sums are to be expended.

And in said accot I have Credited the Colony for £59 3 0 as a proportion of abatement by Solr Paris in his Bills

when I came to adjust accoᵗˢ with him for Services before the Board of Trade & in Parliamᵗ charged in my last accoᵗ which I thought in Justice ought at least to be taken off his Bills.

The Parliamᵗ are to meet the 15ᵗʰ Inst. & its very probable they will be dissolved in about 3 or 4 moˢ after & a new Election soon follow—the Nobility & Gentry have been pretty much at their Country Seats and making Intˢᵗ about the Succeeding Election, that little business has been done of late at Court, but now they are beginning to come to Town

I am Thy assured Friend
RICHᴰ PARTRIDGE

[Superscribed] To Governor Wolcott of Connecticut
Capᵗ Bradford via Boston
[Indorsed] From the Agent Novʳ 1 1753

PHINEAS LYMAN AND OTHERS TO ROGER WOLCOTT.

Hartford Novembʳ 6ᵗʰ 1753.

Sʳ

Wev'e Just now been by yᵉ bearer Entertaind with a Narrative of certain late outrages on board yᵉ Ship Nebuchadnezzer and Depredations made on yᵉ Spanish Treasure together with your honours Injunctions on us touching this matter

Whereupon on Such ready tho' brief attention as amid yᵉ present hurry of business we have been able to yield thereto, we beg leave to propose whether (yᵉ great importance of yᵉ affair being regarded) it may not need & Deserve your honours personal Presence & Influence. and

If So Whether it be not best capᵗ Smith immediately return, advise Don Joseph of yᵉ Misfortune, propose to him to undertake yᵉ Prosecution of it himself wᶜ if (as may be Supposd) he Decline, That in Such case Coˡˡ Saltonstall allso with Capᵗ Smith again propose & urge it upon him with Tenders of all due aid and assistance, all to be done in presence of good & Unexceptionable Witnesses. and

That in case of his final Refusall, Capt Smith either by himself or by Some Kings Officer have formal Complaint Instantly made of ye Premisses and ye needed process thereon forthwith Issued lest Suspected & Guilty persons escape; and that Such preparatory Measures taken, your honour may with less expense of time on arrival there extend your best Influences to every necessary purpose.

And inasmuch as ye Spanish Crew, or at lest Some of them have been & are not without reason Suspected as concernd in these as well as Some past matters of grievance, We apprehend Such a Discovery and fixing at lest in part elsewhere might happyly tend to prevent or Silence Such Injurious & Disadvantageous imputations on ye Government as Jeolous & bad men may likely make, & being very Sensible your honours personal Attendence would greatly Enliven & Effectuate ye needed Inquiry, we Thereupon Presume to Subjoyn our cordial Wishes for your honours Success in this arduous affair, and yt health and Safety attend your person til returnd.

We are your Honours obdt Humble Servants

ROGER WOLCOTT JUNR
PHINS LYMAN
DANL EDWARDS
JOSEPH FOWLER

[Indorsed by Wolcott] From Mr Lyman &c Novr 1 1753

JAMES DELANCEY TO ROGER WOLCOTT.

NEW YORK 12th Novr 1753

Sir

I take this opportunity to notify to you that by the sudden death of his late Excellency Sir Danvers Osborn the Government of this Province is devolved on me as Lieutenant Governor and to assure you of my readiness to concur with you in every measure which may conduce to his Majesty's Service and the safety of these northern Colonies. Inclosed you have a letter from the Earl of Holderness which I received from Governor Dinwiddie of Virginia de-

siring me to forward it. I have nothing to add but my desires of cultivating a good understanding between us as Neighbours I am Sir

Your most obedient &
most humble Servant
JAMES DeLANCEY

Governor Woolcot.

ROGER WOLCOTT TO THE COMMISSIONERS FOR TRADE AND PLANTATIONS.

Windsor Novr 15 1753

My Lords

Mr Hills Letter Dated White Hall the 20th of Februy 1753 by order of your Lordships with the Printed Copy of a Memorial and other Papers Delivered to his Grace the Duke of New Castle by Monsr Michell the Prussian Secretary together with a letter from his Grace to Monsr Michell and the other Papers Transmitted to the Govr and Company of this Colony I am to Acknowledge the Receipt of and Gratefully take Notice of your Lordships favour in giving us the Advantage to See and admire the great Justice of his Majesty in the Cause he hath Espoused in Defence of his Subjects against the unwarrantable proceedings of the King of Prussia Respecting the Silesia Loans may his Majestys Negociations be Succeeded and his Guardianship be more and more Conspicuous for the protection and Security of his Subjects and your Lordships be great and illustrious means therein and be intreated to permit this Colony to Share in your Continued favours, I am

my Lords your Lordships most
obedient Humble Servant
R W

The Lords Commissioners for Trade and Plantations

In the upper House

read and approved and ordered to be Transmitted to the lower House

Test George Wyllys Secret

Concurred in ye Lower house

Test Jno Fowler Clerk

GIDEON WANTON TO ROGER WOLCOTT.

NEWPORT 25th Novr 1753

Sr

I am to acquaint you that Richard Partridge has advised me that he has drawn on me for Two Hundred & fifty pounds Sterling in favor of your Govermt and that I am Ready to Except sd Draught and pay in gould when your Honor will Send for the Same but If you wont Recd: the money here please to Lett me Know by a Line or two from your Selfe that I may Know wheter to Send the money home to England or not from your assured friend

GIDN WANTON

To RocR WOOLCOT Esqr Govr of the Colloney of Coneticut

ROGER WOLCOTT TO JAMES DELANCEY.

WINDSOR Novr 27 1753

Sr

Yours favor of the 12th Instant I Accknowledge I heartyly Congratulate your Honor upon your Receiving the Government May your Administration of it be long and hapy both to your self and the people

It is a pleasure to me to find you are Desirous to Culivate a Good understanding and Mutuall friendship between the two Governments I assure you there is nothing more agreeable to mee and that I shall alwaies promote the same to my power

The Earle of Holdernesses Letter to mee being a Circular letter you are well Acquainted with the Contents of it. And I thankfully Accknowledge His Majestes Gracious Care of these Northern Colonys to Cement them together against our politick and undermining Enemies who have Nothing more at Heart then to hinder our New setlements Advanceing further into the Country by Instigating and Assisting the Indians to Murther our people there in a time of peace it is manefest their designe in this is to keep the Greater part of the Countrey for themselves in hopes hereafter to be

strong enough to drive us all into the sea which may God prevent

you are not Insensible that the More Western Governmts have hitherto very much left the people of New England and New york to strugle and suffer under these dificultys and that therefore His Majesies Care of us will be the more thankfully received and chearfully obeyed by us and that we shall readily Consent and Concur in such Measures as shall be most for His Majesties service and the safety of these Northern Colonys

But Considering the Great Length of our Northern frontier all lined with thick Woods the sudden Incursions and retreat of our enemies I Cant but look upon ourselves under Disadvantage while we are only on the defensive my opinion about the French is the same with that of Hanniballs about the Romans who said they Could Never be Conquered but in Italy.

Be that as it will union must be the safety of these plantations

I am with Great Esteem
your Honrs Most Obedient
very Humble servt
R WOLCOTT

To the Honable James DeLancy

GURDON SALTONSTALL TO ROGER WOLCOTT.

New London Decr 13. 1753

Honble Sir

I esteem it my duty to advice You; that depradations are made on the Spanish Effects, in Mr Sloans Store very frequently; but am not able to say how often; though its every three or four Nights; & and it was broke open even last night.

Mr Sloan denies his having the care of it; nor will the Colector, admit it in his Custody; & the Spanish Merchant is entirely easy at these proceedings, or rather rejoices at them.

I expect, if the Spanish Effects remain in the present Situation any longer, that there will be large quantitys of it Shipt off very soon; and I know not what the consequence will be, nor is it in my power to prevent such a practice

I am yr Most
Obedt Servt
G. SALTONTALL

To Roger Wolcott Esqr Govr
[Superscribed] To the Honble Roger Wolcott Esqr Governor
att Windsor ℔ favr Mr Montgomery
[Indorsed by Wolcott] Recd Decr 22 1753 R W
From Coll Saltonstall Decr 13 1753

ROGER WOLCOTT TO THOMAS FITCH.

Windsor Decr 22 1753

Sr

By a letter Lately recd from the Agent I am Informd That he has recd my packett sent in July Last That Masons afair Continues in statu quo That the Massachusetts have not moved about the line That the Spaniards protest is not yett Come from them to London he sees Nothing frightfull in it but when it Coms to London it will make a Great stiring there he is taking Counsell what to do about the line

He sent me a British Gazette of the 20th of Octr the most noted news in it is recruits are sending to Halifax and that the Countess of Halifax is dead that the Kingdom of Persia is almost ruined with Civill Warrs That Spain and Denmark are fallen out the French are yett scolding and that the leading men in England are busie about their Elections for the Next Parliament

Last night I recd a Letter from Collo Saltonstall Giveing me an Acct that there are repeated Thefts Comittued upon the Spanish Cargo and that if Care be not taken about it he Expects there will be a Large quantity of it soon shipt of that the Colecter and Mr Sloan Disclaime their having the Custody of it and that the Supercargo is Easie or rather Rejoices at it

This is but a Continued Embarrassment I have had in this afair for more than 12 months past and how to Acquitt the Government from blame in it is my Great Care

on the one hand the Asembly have refused to take it in to their Custody and the merchant has told mee to wait till he sends to me before I Concern my self in it

on the other hand the Cargo seems to Ly as much Exposed to loss as if it Lay in the street and no body will take the Least Care about it unless I do in this afair I want Consull

And therefore desire that when the Judges Come to Windham you would forthwith send for Colº Huntington and Collº Saltonstall and together Consider and Give me your advice under your hands what shall be Done

The Exigency of the Afair will not well allow time to Call a Council formally together it will be Costly and if I had your opinion as proposed I think I Could proceed and with out your advice I shall Do Nothing

Not being to be present with you I propose

That the Enclosed letter to the Merchant be delivered to Collº Saltonstall lett him take a Copy of it be for Evidence then send it and Deliver it to the merchant before Evidence and take his Answer to it if the merchant Complys all will be Easie if not as tis likely lett him ask the Merchant if he desire I should take it into Custody to which tis probable he will Consent be this as it will Lett the Collº take Testimonys of the Embezlements of the Merchants Answer and send them by Express with your advice to me And in the Mean time do his best to prevent any further Embezlements

In this Case I think I shall presume to send orders to the Collº To tak the Cargo in to his care and secure it in the best and most frugall manner taking an Exact Inventorie of What he receives and lett him send it to me

This may seem a bold step after the Asembly have refused to take it into their Custody at their own Costs and Risque but probably not Inconsistant with their orders to me to give him that protection that is due to Forreigners according to the Law of Nature and Nations

for in this Case we must look upon the Merchant as Infatuated or under some temptation to suffer the Cargo to be ruined in which Case I doubt the Government will be blamed if we suffer so Great an Estate to be lost after I am Informed of it nor Can I think such a step so profitable to the owners will be Disproved by any man nor by them and that we shall be Justly Intituled to our Costs against which the owners will not object but without advice I shall not Adventure to do any thing therefore it is I submit it to you And now Giving my service to your Hon^{r} and the other Judges and Gentlemen that may be Concerned I bid you fare well and am your Hon^{r}

most obliged
very Humble Serv^{t}
R WOLCOTT

To the Hon^{able} Tho Fitch Esq^{r}

my hast will not admit mee to take a Copy of this letter but hope to have one from you

[Indorsed] To the Dep^{e} Gov^{r} Dec^{r} 22 1753

ROGER WOLCOTT TO JOSEPH MIGUEL DE ST. JUAN.

Windsor Dec^{r} 22. 1753

S^{r}

When you were before the Assembly in October last, you moved them, to take the Cargo, belonging to the Snow S^{t} Joseph, and S^{t} Helena, into their Custody, & secure the same, at their Cost, & Risque, which, the Assembly declin'd to do, & with Respect to my self, you told me, you did not desire, I should concern my self in the Affair, till you sent for me

I have heard flying Reports, that there are Robbories, & Embezzelments, made on your Cargo, & have expected to hear from you, about it, but have heard Nothing.

Yesterday, I had a more certain Account of it than ever before, & that, there was Danger, that the Embezzelments would be more and more, & this has been the Cause, that I send you this Letter, wherein, I assure you, that if you will

take the said Cargo, into your own Custody, I will do my utmost, to secure it in your hands, in the best Mañer, as you shall direct, all to be done, at your Cost, and Risque, and that, I am ready, in all other Respects, to give you, that Protection, that is due, to Forreingers, by the Law of Nature & Nations,

I am Yr very Humē Servt
R. WOLCOTT

To Don Joseph Miguel De St Juan Super Cargo & Director of the Snow St Joseph & St Helena & Her Cargo

New London Decr 26th 1753

These Certify whom it may concern that wee the Subscribers, this day saw Gurdon Saltonstall Esqr deliver the Spanish Merchant a leter from Governor Wolcott, a Copy of which is on the other side this half Sheet, and sd Saltonstall ask't the Merchant whether he desir'd the Governor would take the Spanish Effects into his Custody, or whether he desired his Honr would enquire after any embezelments of sd Cargo, & he said he would not act any thing about the Cargo, or desire the Govenor to enquire about any Embezelments untill he recd orders from Spain

Zaccheus Wheeler
Josiah Coy

Cont ss. N London Decr 26th 1753. Messrs Zacheus Wheeler & Josiah Coy, personally appeard, & made Solemn Oath, that what is above writen, and Subscribed to by them, is truth

Coram G Saltonstall Assist

[Indorsed] To Don Joseph d Migll Decr 22 1753

THOMAS FITCH TO ROGER WOLCOTT.

Hartford 23d Decembr 1753

Sr

Last Evening I arrived with Mr Silliman at Majr Pitkins who this Evening Delivered me your Honrs Letter of ye 22d instant with the other Papers thank your Honr for the information concerning the publick affairs and on Consideration

of the Matters Relative to the Spaniards affairs cannot but express my Great Concern about those Matters and Should Rejoyce to be able to give better Advice therein than I am yet am willing to do my best and Shall Endeavour to Attend your Hon^{rs} Orders but must Say that I as well as the Gent. now with me Apprehend it would be best for your Hon^{r} to be present at windham with the Council where your Hon^{r} may have a Quorum if Maj^{r} Lyman Col Huntington & Col Saltonstal be there. I must therefore Request your Hon^{r} if health permit to give us the Hon^{r} & pleasure to wait on you about the Middle of the Week for Doubtless a personal Conference with your Hon^{r} will be much more Satisfactory to the Gent. of the Council as well as to yourself your Hon^{r} will please to Excuse my freedom in this proposal and Request and be assured that I am with Great Esteem your

Hon^{rs} most obed^{t}

Humble Servant

THO^{S} FITCH

P. S. I Shall Endeavour to send for C Huntington & C Saltonstall to be at Windham Wednesday or thirsday.

To the Honourable Roger Wolcott Esq

JOSEPH MIGUEL DE ST. JUAN TO ROGER WOLCOTT.

New London 31 de Diz^{r} de 1753

Honorable s^{or} Governador.

S^{or}

La mui apreziable carta de vuestro Honor, fecha en 22 de el corriente, fue Rezivida el 26 de el mismo en la Noche, y enterado de sus contenidos digo, en quanto a lo primero, que mi animo Legalmente hera, en la petizion presentada a el Honorable Corte de Newjeven, por el mes de Octubre, de que por la superior potestad de dha corte, fuese Expedida orn a el colector de este Puerto, para que en virtud de ella, prozediese â descargar lo que malamente avia entregado, de la carga de mi cargo, y puesto sin mi consentimiento, a vordo de la fragat Nombrada el Nabucodonosor, como que Respecto de aver sido tan fea y no bien vista adezion entre todas las

Naziones, aquardar a que yo bolviese la Espalda para su logro, fuesen de cuenta de dho colector, todos los gastos que se causaren hasta ponerlo Nuevam^te en su custodia con la demas carga, eigualmente pedia, bojo las mismas circunstanzias lo mismo, a este Govierno, y uno y otro, no me fue permitido, por dha superior corte, lo que me a sido bastante sensible, en considerazion de el gran perjuizio que Resultara a dhos êfectos, como el que aya de ser vuestro Honor ôfiz^l Real, ō Provinzia, los que ayan de Recompensar el que se siguiere, a estos, como a los que Exsisten en custodia de el Referido ôfizial Real.

Empunto a las Insolenzias que se Experimentan en la gran Diminuzion que padeze la carga que conduje por adzidente Inopinado a este Puerto, sobre los Robos que se Experimentan, Dimana de lo poco q^e Reflecsiono, ô Repaso vuestro Honor, mi carta escripta en el 21 de Agosto, y entregada â vuestro Honor por mano de el capitan Smith, en la cual, siendo cierto contener por suplica, sumisa â vuestro Honor, *q^e el yntegro de la cargazon sea entregado a mi mismo en Derechura y no a otro a lo uno que lo pretenda, porque de no ser asi sera como siempre nunca acavar;* cuya Respuesta que devolvio dho capitan Smith, fue sumamente abstraida de mi suplica, y de ella, como de alguna otra orden separada, que vuestro Honor Expediria, se orijino, la no vista entriega de frutos y destruzion de plata, que el ofizial Real êjecuto, que hallandome yo en este tiempo, en compânia de vuestro Honor, tratando sobre los puntos y circumstanzias contenidas en mi Referida carta de 21 de Ag^to, me hallé de Repente con el mayor espanto, con un Espreso dandome notizia de dha entriega y destruzion, por cual motiva me bide por lo pronto, obligado a protestar en Español, como lo hizé, contra vuestra Honor, ofizial Real, y Provinzia, en el dia 30 de Ag^to como constara mas claramente en el Rexistro de vuestro Honor, y de tres testigos entonzes presentes y firmados en dha Protesta, y esclâro a mi parezer, de que siendo buestro Honor la causa de no haberme Expedido mi ōrn peditoria, por cuya Razon se estan siguiendo, y se siguen tautos quebrantos y obstruz-

iones, a mi a los Interesados de dha carga, Creo sin duda, como ya tengo dho, q^e^ o bien vuestra Honor ofiz^l^ Real, o Provinzia, tienen de Reparar todos los perjuizios, hurtos, Demoras y tiempo perdido, que se siguiesen a esta Dependienzia, la qual se halla parada, hasta que tenga las mas Expresivas orns de España, para caminar sobre ellas con el singular afecto que Requiere y desea mi Honorradez y Credito, q^e^ es cuanto a el presente se me ofreze en Respuesta a la carta de vuestro Honor, a cuya obedienzia se Repite, sumas obligado, afecto, atento s^do^.

JPH MIGUEL DE S^T^ JUAN*

[Superscribed] Honarable S^or^ ROGER WOLCOTT Esq^r^ Windsor

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*[We think best not to amend in translation the involved and dislocated syntax of the original. His general complaint and demand are plain, and to rewrite the letter would impair its documentary value. A few semicolons will make it quite clear. F. M.]

NEW LONDON, Dec. 31, 1753.

Honorable Senor Governor—

Sir: The much esteemed letter of your Honor, written the 22d inst., was received the 26th of the same in the evening, and acquainting myself with its contents I reply, as to the first, that my intention lawfully was, in the petition presented to the Honorable Court of New Haven, about the month of October, which by the paramount authority of said court should be forwarded in course to the collector of this port, that by virtue thereof he proceed to unload what had been wrongfully transferred from the lading of my cargo, and placed without my consent aboard the frigate named the Nebuchadnezzar, as in regard of having been so hateful and ill-reputed a title among all the peoples, to wait till I turned my back for an advantage, at the charge of said collector should be all the expenses incurred up to putting it newly in his custody with the rest of the lading, equally I asked under the same circumstances the same from this government, both one and the other, it was not permitted me by the Superior Court, what was plain enough to me, in consideration of the great damage which will result to those goods, as it will be to your Honor, the royal official, or the Province, those who are to reimburse what happens, to these as to those which exist in custody of the royal official referred to.

I point to the affronts that are experienced in the great diminution which the freight suffers that was conducted by unforeseen accident to this port, besides the thefts that are experienced, it arises (1) from the little that I reflect upon, (2) or go over again to your Honor, my letter written on the 21st of August, and transmitted to your Honor by the hand of Captain Smith, in which, being certain to contain as petition, submitted to your Honor, *that the whole of the cargo may be transferred to myself directly and not to any one else who may lay claim to it, because if not so*

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(1) An exact inversion of his meaning: "My saying little on these grievances here arises from my letter of Aug. 21 already reciting them; I know it contained the petition for not having my goods put in others' hands,—a business that will never end,—and Capt. Smith's answer merely goes over its points."

(2) "Cast blame," as in English.

ARNOLD TURNER'S BILL.

1753 The Ship Nebuchadnezer To Arnold Turner Dr
To Wages for Service on bord Sd Ship from the 16th of July when I Shipd to the 28th of Decr following being 5 months & 12 days a 3£ ℔ mo york money £16 6 4

Errors Excepted £16 6 4

℔ Arnold Turner

[Indorsed] Arnold Turners acct agst the Ship Nebuchadzr

DANIEL PACKER'S BILL.

1753 The Ship Nebuchadnezer to Danll Packer Dr
To Wages for Services on bord Said Ship from the 19th of July when I was Shipd To the 28th day of Decr following a 3£ ℔ mo york money being 5 mo & 9 days £15 19 4

Errors Excepted £15 19 4

℔ Daniel Packer

[Indorsed] Danl Packers acct agst The Ship Nebuchadr

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done it will be, as always, never finished; the answer to which that the said Captain Smith returned, was chiefly an abstract of my petition, and from that, as from any other separate order which your Honor forwarded, it arises, the secret delivery of fruit and destruction of plate, which the royal official executed, which I finding out at that time, in company with your Honor, conferring on the points and circumstances contained in my referred-to letter of Aug. 21, found myself suddenly in the greatest consternation, with a messenger giving me notice of the said delivery and destruction, for which reason he begged me to hurry, obliged to protest in Spanish, as I did, to your Honor, on the 30th day of August, as will appear most clearly in the register of your Honor, and of three witnesses then present and signing said protest, and I declare that it seems to me, from your Honor being the cause of not having forwarded me my schedule in course, for which reason there kept following, and do follow, such ravages and obstructions, to me and to those having interest in the freight, I believe without doubt, as I now maintain the aforesaid, that either your Honor, the royal official, or the province, ought to make good all the damages, thefts, delays and time lost, which follow on this business, which is found remiss, until it has the most clearly expressed orders from Spain, in order to act upon them with the single-minded concern which my integrity and credit require and desire, which is as much as at present offers itself to me in response to the letter of your Honor, obedience to whom is reiterated by his most obliged, attached, attentive servant,

JPH MIGUEL de st JUAN

ROGER WOLCOTT TO JOSEPH MIGUEL DE ST. JUAN.

WINDSOR Jan 4 1754

Sr

When the English Ships are put in to the ports of Spain by Distress the Masters do not order the Govr in what manner they shall proceed for their Relief The Govr orders that Matter as he thinks best and takes what he thinks fitt for his reward this the Masters thankfully accept and Depart but you are of Another Temper and will accept of Nothing nor Depart

In Decr 1752 soon after you were put into the port of New London you had my orders that after the salvage and Costs was paid the Cargo should be Deliverd to you and then I expected you would have been Gone within one month at farthest but instead of that you Dismist your men and Went a way to New york and thus the afair was delayed till the 31st of March When by your petition you Informed me that you had apointed Messrs Cuyler and Lane your Agents and desired they might be permitted to receive and ship the Goods on bord this was deneyed because your order of Decr 1752 was suficient for you or your Agents to Act by

on the 23d of Aprill your Agents by Mr Fitch Informed me that the Colector Would not Deliver them the Cargo and moved me to Grant a Replevin Which I promised them to do upon Giving baill for prosecution. but what do you do Instead of taking out a Replevin you go a way to New york all is delayed till the 20th of August When you desire me to Grant you an order to receive and ship the Goods

such an order you had in Decemr before but will not use it on this I writt you a Letter Augt 22d Confirming your Chartering the ship and Allowing your Agent Mr Lane to receive and ship the Cargo

I had no Mistrust but that this would be Agreeable to you since you had petitioned me to give this power to your Agents Lane and Cuyler and protested against me for not Granting it but Admiting this was a Mistake in me to be in this opinion yet Care was taken that the letter and this

order was sealed up and sent to you so that you might Either use it or Not and proceed on your order of Decem^{r} 1752 or Come to me for Another order

In this Case Mr Lane Could not Lawfully se it receive it nor Act by it but from by and under you therefore it is Certain M^{r} Lane Could not nor did not receive the Cargo upon this order unless it was delivered to him by you and then it became your act but you have told me you did not Give it to him: if so Mr Lane rec^{d} and shipt the Cargo by your Agency to him and my order to you of Dec^{r} 1752

But in this you soon forbid him proceeding farther and his proceeding Was stopt after part of the Cargo Was shipt

In october you moved the Assembly to order the Colector to take the Goods and money out of the ship and secure them in his Custody at his own Charge and Risque or if the Government Would Take them into their Custody it should be at their Costs and Risque which the Asembly refused but ordered me to give you protection According to the Law of Nature and Nations Which I have offerd you and you have refused and protest ag^{t} my self the Colector and the Colony for all Damages and say you Will stand still till you have orders from Spain

your Conduct has alwaies been of a piece a Great pretence to put forward and Lay the blame of the delay to others but When Every thing has been ready you have Constantly refused to proceed and of late to take any Care of your Cargo and Abandoned it to be ruined as much a possible

These things I put you in mind of that you may Come to your self and Consider how much you have Damnifyed your owners Whome I heartily pity and hope that by orders from Spain there will a speedy stop be put to it in the Mean time shall take Every proper step in my power to prevent any further loss of it as far a possible I am

your Very Humble serv^{t}

R WOLCOTT

To Don Joseph Mig^{LL} de s^{T} Juan super Cargo and Director of the snow S^{t} Joseph and S^{t} Helena and her Cargo

[Indorsed] To Don Joseph &c Jan 4 1754

WILLIAM SHIRLEY TO ROGER WOLCOTT.

Boston Jan^{y} 8th 1754

Sir,

Some Weeks ago I had the honour of a letter from the Earl of Holdernesse one of his Maj$^{y's}$ principal Secretaries of State, directing me to send a Quanty of Musquets out of those, w^{ch} were left in the Canada Expedition, to Halifax in Nova Scotia for his Maj$^{y's}$ service there: and signifying to me y^{t} he had wrote your Honour a letter directing you to send what Arms and Military Stores you had left out of those purchas'd for the afores^{d} Expedition, to Boston to be lodg'd in his Maj$^{y's}$ Castle William for his Maj$^{y's}$ further Orders.

As I cannot collect the quantity of Musquets good, and serviceable, w^{ch} I am directed to send to Halifax, out of those sav'd in the afores^{d} Expedition within this province; I shall be oblig'd to your Honour, if you will let me know by the first Post, whether I am expect any Musquets from your Honour's Governm^{t}, according to L^{d} Holdernesse's Orders.

I am with great regard

Sir, Your Honour's most Obed^{t} Serv^{t}

W SHIRLEY.

Hon^{ble} Gov^{r} Woolcott.

ROGER WOLCOTT TO THE CIVIL AUTHORITY IN NEW LONDON.

Gentlemen

I have now sent you the Case Respecting the Spanish snow & Cargo as it is Now Curcumstanc^{d}, & by the Merchants proceedings upon it it is probable this Case may Come under Examination and although I dont aprehend that Either the Colony or my Self are like to suffer yet that we may be prepar^{d} to set the Case in its due light And Humanity requires that we Should Use all proper Means to save this Cargo for the Owners that is thus abandon^{d} By the Merchant

I desire & direct you & Each of you that you Endevour to perswade the Merchant yet to take Care of his Cargo &

promise him my protection & your Assistance in his Taking & Securing of it

That if he Refuseth that you warn the Collector & all persons that may have the Custody of it to keep it safety at their perill.

That you make diligent Enquiry after all Roberies & Embezzelments that have been Made of the Cargo and make proper Entrys of what you find & also that you Search after take & secure Such part of the Cargo as hath Been or Shall be Stollen & Embezled as far as you Shall have Knowledge or Suspicion of it.

That you do your Endevour that all persons that have Stollen or are Suspected to have Stollen any part of the Cargo be presented taken Examin'd & Secur[d] as the Law directs that they may be prosecuted & brought to tryal for their offence

That you take affidavitts of the conduct of the supra-cargo &c that he Occasion[d] this delay and Damage particularly of his Negligence & delay & not Improving his opertunity of puting forward when he had my orders to Receive the Cargo and my agent to Charter him a Vessel for his Voyage in december 1752

of His not Improving His oppertunity of proceding on his Voyage in Aprill when he had the Ship Nebuchadnezzer Ready and was offer[d] a Writt of Replevin to put the Cargo Into his Hands

of His not Improving his oppertunity in August when the Ship Was Ready the Collector Ready to deliver the Cargo & he had my orders to receive them of Decemb[r] 1752. & now an offer to Impower his Agent M[r] Lane of his abandoning his Cargo to be Stollen & Ruin[d] without taking proper Care to prevent it or bring persons that were Guilty of it to punishment

Exemplefy such affidavits and send one part to me and keep the Other your Selves

Windsor Jan[y] 8[th] 1754

To Gurdon Saltonstall Jeremiah Millar Daniel Goit & Pigan Adams Esq[rs]

A True Copy Examined

[Indorsed by Wolcott] To the Civill Authoty in New London Jan 8[th] 1754

ROGER WOLCOTT'S STATE OF THE SPANISH CASE.

A State of the Case in Controversy About the Spanish Snow S^t^ Joseph & S^t^ Helena & her Cargo. In November 1752. The Snow Came to the Mouth of New London Harbour & Soon after ran upon a Reif of Rocks & her Cargoo was Landed.

In Decemb^r^ I Came to New London to Inquire into the Lawfullness of her Entring the Port of New London & Landing the Cargo & to Give Proper orders about it upon Examination I found that She Came into the Harbour by Distress & had Lawfully Landed the Cargo. I then Gave Orders to the Colector of the Costoms to Secure the Cargo Safely in his Custody for the Owners who Returnd me his Certificate that he had the Keeys of All the Stores Dec^r^ 11^th^.

I Then Called three Shipp Carpenters to Examine the Snow Whether She was fitt to put to Sea who returned me Certifycate that She was Not fitt to putt to Sea & Could not be Repaired for the Profitt of the Owners Dec^r^ 14^th^.

I Then Appointed Gurdon Saltonstall Esq^r^ to Charter a Vessell to the Officers for their Voyage to Spain and Ordered the Colector to keep the Goods Safely for the Owners till they were Shipt & that they Should be Delivered to the oficers of the Snow when the Salvage and Cost was paid

N. B. I then Expected the Company & Cargo Would have been upon their Voyage to Spain Within One Month at faurthest.

On December 26^th^ Judge Morris from New York mad a Decre In the Court of Vice Admiralty that Cap^t^ Simson Should Recover 23000 Pieces of Eight Out of the Cargo for Salvage which has Since been Levied.

N. B. Don Joseph Miguel De S^t^ Juan Super Cargo & Director of the Snow Did not Improve the Orders I had Given to pay the Salvage & Cost take a Charter of a Vessell for his return & for Him to Receive & Ship the Cargo but Dismist his men & went to New York

On the 21^st^ of March 1753. The Super Cargo Presented me with his Petition Showing that he had Apointed M^rs^

Henry Cyler Junr and Henry Lane of New York his Agents & Praying me to appoint them my Agents to Charter him a Vessell & to Receive & Ship the Cargo on Board which by advice of Councill was Denyed.

N. B. I had Before Appointed Collo Saltonstall my Agent to Charter him a Vessel & now offered to remove him if he made any Objections against him but he made none & I had the Decr Before Given Orders for the Merchant to Receive the Cargo by which Either by himself or his Agent he Might Act.

On the 23d of April Messrs Cyler & Lane by Mr Samuel Fitch Informed me that the Colector would not Deliver them the Cargo & moved me to Grant them a Writt of Replevine to put the Cargo into their hands which I Promised to Do upon their Bringing me Evidence that the Colector would not Deliver them the Cargo & Bail for Prosecution.

N. B. Neither the Mercht nor his Agents Came for this Writt but went to New York.

On the 20th of June I was served with the Merchants Declaration & Protest he Avered that the Govr Refused to Suffer his Agents to Act for him and had absolutely refused to Grant them a Re Plevine of the Cargo.

N: B In this Decleration he hath Said that I Offered them a Replevine which was on Allowing his Agents to Act & has Declared upon no One fact wherein I hinderd them in acting for him.

On the 22nd of August Capt John Smith Informed me that the Mercht had Chartered the Ship Nebuchad Nezer of Lane & Cyler for his Voyage to Spane he also Brought me a Letter from the Mercht Dated August the 20th wherein he Desired Me to Appoint him to Receive the Cargo of the Colector & Ship it on Board I then took Capt Smiths Afadaved that the Ship was well provided & Sufficient for the Voyage & by him Sent a Letter to the Mercht where in was Incerted a Confirmation of his Chartering the Ship & an Order from me that Mr Lane his Agent is Appointed to Receive the Cargo of the Colector and Ship it on Board which Letter was Sealed up & Directed to the Mercht.

N B It is Nither Law nor Custome in any of the Ports Belonging to the Crown of Great Brittain or that of Spain in Like Cases that the Govenor is Obliged to Appoint the Foreigner or any man at his Choice to be the Goveners Agent. That the Govener Cant be taxed of Dealing hardly with a forreigner when he Appoints the Same Man to be his Agent that the Forreigner had before appointed his Own Agent for the Same Purpose. That I had Before Appointed the Merch^{t} to Receive the Cargo & there Could be no Need to Repeat it. That this Order being Incerted in a Letter to the Merch^{t} Sealed Up & Directed to him Could be no other than an offer to Join my Agency with his in the Person of M^{r} Lane which he Might Use or Not, as he Pleased & M^{r} Lane Could not Lawfully See it or Act upon it but only from by and Under the Merch^{t}.

On the 30th of August I met with the Merch^{t} in Windsor in the Eavenning he Shewed me my Letter to him of the 22nd & told me he had not Sent to me for an Order to M^{r} Lane & that he had not Shewed that Order to M^{r} Lane & Desired I Would Grant an order to himself I told him it was all one to Me but I thought it would be most Agreable to him to have the Order to M^{r} Lane while we were Discoursing there Came a post to the Merch^{t} Informing him that M^{r} Lane was Receiving & Shipping the Cargo this Brooke up the Conferance for that Night the Next Day he met me at my house where I Shewed him his Petition to Me of Merch 21st Desiring me to Give this Power to his Agent he Said his Interpretor had not Usted him Well & Desired me to Send an Order to the Colector to Stop the Putting any more on Board and Stop the Ship which According to his Request was Don & I Sent an Order to the Colector by him for that Purpose

N B The Merch^{t} Never Delivering the Order to M^{r} Lane he Could Not Nor Did not Act by it but Only from his Agency from y^{e} Merch^{t}

On September the 6th I Sent an Order to the Merch^{t} to Sell the Snow & to hasten forward on his Voyage I then

Repeated to him My Order of Decr 1752 to Receive the Cargo.

On September 13th I Wrote to him again Insisting he Should spedily Proceed on his Voyage.

In October the Mercht Preferred his Petition to the Generall Assembly Shewing his Case & praying they would Order the Colector to Take into his Custody the Cargo that was Shipt & keep it at his Own Charge & Risque or if the Government Would take it into their Custody it Should be at their Cost & Risque this the Assembly Denyed but Ordered the Govener to Give him Protection.

N B. The Assembly Could not Oblige the Colector to take the Cargo Into his Custody after he had Delivered them to the Mercht Again Nor Were they Obliged to Receive & Secure the Cargo at their own Cost & Risque to Give him protection was all Required of them by the Law of Nature & Nations and this was Granted.

On the 22nd of December I offered the Mercht My Protection On the 31st of December he Wrote me a Letter in the Spanish Language the Substance of which as it was Interpreted to me by Joseph Manquez his Interpreter was.

That he had Petitioned to the Assembly to order the Colector to take and Secure that Part of the Cargo that was Shipt at his Own Charge & Risque or if the Government Would take it into their hands at their Own Charge & Risque which was not Granted.

That I had Given an Order to Mr Lane to Receive & Ship the Cargo Contrary to his Request.

That he Protested against the Colony, my Self, & the Colector for all his Delays & Damages and Declared he Would Sitt Still Till he had Further Orders from Spain & then Proceed.

N B. By this he has Abandoned his Cargo to the Utmost Ruin and Expect all shall be paid by the Colony My Self & the Colector

[Indorsed] Govr Wolcotts State of the Spanish Case

ROGER WOLCOTT TO RICHARD PARTRIDGE.

WINDSOR Jan 10 1754

Sir

I send you here the state of the Case respecting the Spanish Snow S^{t} Joseph and S^{t} Helena and her Cargo

I have done my uttmost Endeavour from the first knowledge I had of this Case that Every thing should be provided for the safety of the Cargo and for the speedy return of the Merchant and his Cargo to Spain as you will see by the Exhibits

but whither the delay has been Occassiond by Judge Morris the Merch^{t} or the Colector I must Leave others to Judge

His letter to me of Dec^{r} 31 was in the Spanish Language of which I could know Nothing but as it was Interpreted to me by Marquez here with send you and it was in Answer to mine to him of the 22^{d} Dec^{r} by this you will see that Instead of Accepting my protection he has Abandoned his Cargo which Caused me to send my Instructions to the Civil Authority in New London as herewith Enclossed

I Could not see what I Could do better for the Owners being alwaies of Opinion that the Law had put the Cargo in to the Colectors hands in trust for the savers and Owners

The Merchants Misterious Conduct in Avoiding all opertunitys to return has raised a General Opinion that he is either unequall to his business or under some unknown temptation to delay his return

If this Case should Come to London I desire you will do your uttmost to prevent any ill Efects from it upon this Colony by which you will oblige

Your very Hum^{ble} Serv^{t}

R WOLCOTT

To RICH^{D} PARTRIDGE Esq^{r}

[Indorsed] To the Agent Jan 10th 1754 about the Spanish Cargo

ROGER WOLCOTT TO RICHARD PARTRIDGE.

Windsor Jan 10 1754

Sr

since my last to you of July 30th I have recd yours of June 9th Augt 25th Septemr 12th and of Octo 19th and the prints all which I thankfully Acknowledge

I laid the bills you drew in my favor before the Asembly in October Last they were of opinion that they Could not fairly alter the Apropriation formerly made of the money in your hands and since I Cant Give you Credit on that money it will be no service to you to receive the money and send it to you therefore return the bills

Mason is a man of Courage as well as of Extream want of money to suport himself I am Glad he Will be under your Watch to prevent him in his Atack upon the Duke of New Castle and hope you will succeed in it

There is not the least prospect here that the Massachusetts will Ever agree to setle the line they only Want to have us fall into a drouse and then take advantage of us Therefore the main question Now before you and your Counsel is the probability of succeeding and henc Whither what was done 1713 has altered the line sett in the Charters It is of uttmost Importance that the borderers be protected and Governed by Lawfull Authority the Case is before you I doubt not you will proceed frugally in it with respect to the Costs but we should never have proceeded so far and Intended to be at no Costs accordingly the Assembly have provided for it and the way of setleing of it by Comissioners is what we expected

My bills that you have Discharged are Exactly According to my Entrys since I have drawn further upon you the bills I suppose are before this time Come to hand one of your papers Containing part of your Acct is mislaid in the secretarys office Therefore repeat my desire that you Would send your Whole acct together

please to Deliver the Enclosed Letter as Directed and lett me be Esteemd

your obliged
very Humble servt

To Richd Partridge Esqr

ELISHA·WILLIAMS TO ROGER WOLCOTT.

WEATHERSFLD Janry 15th 1754

Sir

Your Honrs Favour of the 14th present I received by yr Express — and as you refer me to Gr Shirleys Letter to be Informed of what he now Desires — wch I perceive is; the Number of Muskets — Left out of those purchased for the Canada Expedition — wch he may Expect from ys Governmt — In answer to wch — can only Say — That I am certain of 412, but believe it will be a few more — of Cutlasses (Such as yy be, poor Enough) above 500 — of Cartouch Boxes also above 5[ ] am Sorry yr Honr is Still afflicted by the Spanish Merchant — but Trust Neither yr Honr nor ye Governmt will in the Event Suffer by Him — perhaps Govr Shirley will Signify to yr Honr — or to Me (if you Let Him know I am ordered to deliver Him the Arms) — What he Would have me do as to ye Conveyance of them to Him in the Spring

I am yr Honrs
most obliged and
Very Humble Servt
E. WILLIAMS

The Honourable Governr WOLCOTT Esqr

ROGER WOLCOTT TO WILLIAM SHIRLEY.

WINDSOR Jan. 16 1754

Sr

I have Recd your Excellency letter of the 8th Instant and beg leave to Inform you that I Laid the Earle of Holderness letter before the Genll Assembly in Octo Last The Assembly put the Afair into Collo Williams hands I have given him a sight of your letter Who signifys to me that he hopes to know how your Excellency Would have him proceed

I trust if you will please to send him a Letter The Afair will be setled to your Mind I am with Greât Esteem

Your Excellencys

Most obedient

very Humble servt

R WOLCOTT

To His Excellency WILLM SHIRLEY Esqr

[Indorsed] To Govr Shirley Jan 16 1754

GURDON SALTONSTALL TO ROGER WOLCOTT.

N LONDON Jany 18. 1754

Honble Sr

The packet for Civil Authority in New London came duely to hand, by your Son the Doctor, And the Gentn convend yesterday to consult, & shall do, what is in our power, consistent with your Honrs directions, & the Law.

The persons that brooke open Mr Sloans Store & Robd the Ship, are taken into Custody; I have not acted as a Minister of Justice in those processes; having heretofore been concern'd in a part of those Effects, think my Self an improper person to Judge about them; must therefore refer You to the other Gentn in Authority, for the particulars of that matter.

Wee are fearful that a large quantity of the Spanish Goods, will be Transported; but how to prevent it, should wee even see any person in whose Custody it is, doing the Fact, don't know how to put a Stop thereto, consistant with the Law.

I am Yr Honrs

Most Humble Servt

G: SALTONSTALL

To The Honbl R WOLCOTT Esqr Govr

[Superscribed] To The Honble ROGER WOLCOTT Esqr Governor att Windsor

[Indorsed] Coll Saltonstall Jan 18 1754

ROGER WOLCOTT TO DANIEL COIT.

WINDSOR Jan 21st 1754

Sr

Yours of the 17th Instant is recd with Thankfullness I Accknowledge your Good service in this Important afair go on till you have brought Every one of those vilans to punishment drive it to the batts End that none may Escape be couragious and thorow let no dificulty be insurmontable by you for what you need not fear where the Law is on your side What a shame will it be to this Goverm^t to have the ship burnt the stores stollen and Embezled and such vilanies Nether prevented nor punished if such things shall Escape with Impunity there will be no liveing for any man much longer in this Colony

The Costs in this Momentous and Neccesary afair you need not fear will be paid I promise you my best Endeavor for its being Allowed

With respect to the stores you mention I am of opinion the Colector only has the Custody of the Cargo the Evidence is full that he recd it the Spaniards say they Can prove that they Demanded it of him and he refused if so he is Answerable for Every pieces (?) in my opinion Make him sencible of his Danger and offer him your Asistance to secure them if he refuses take wittness of the offer I hope the Kings Attorney Will readily Asist you in Every thing

I send you here a Copy of my letter to the Merchant of Augt 22d 1753 because I hear the Colector Intends to Justify him self for delivering the Cargo to Mr Lane from a Copy of this letter and Cast the blame of Mr Lanes Missmanagment upon mee and that it is Comonly reported that I Gave an order to Mr Lane to receive and ship the Cargo without the speciall order of the merch^t and Contrary to his mind Induced thereto by Bribery or some other Evil Cause and by this the people are filld with fears that they shall be forc^t to pay for all at Last

As the takeing of this Cargo by Mr Lane without speciall order from the Merch^t and Contrary to his mind is by all men as well as by my self Judged an Atrocious Crime and I

Confess if I was his Accomplice I am Equally Guilty But if not it is very Injurious to Cast this Asperssion upon me and spread these reports and fears among the people This will Justify my Endeavour to Vindicate my self from it and sett the matter in a true light

The Merch^{t} in his Letter to mee Moved to be apointed to receive and ship the Cargo and that No other person that had any other pretensions to it might be apointed this I thought Intended M^{r} McKinzie only who had letters from Cadiz to Join with him in it

I Considerd that the Merch^{t} Could speak no English and that sencible of this he had for some time Improved M^{r} Lane his Agent and now brought him from New york for this purpoſs as I thought from Whence I Judged that I should serve him best by Giveing him an offer to Join my Agency with his in the person of M^{r} Lane in such a maner as that he might use it or Not as he pleased and thereupon wrote this letter sealed it and sent it to him by Cap^{t} Smith the man that brought his Letter to me and was the Cap^{t} of the ship and Now I thought my self safe that my letter would be Delivered as Directed which if it had been done the Colector Nor M^{r} Lane Could have made no pretentions from it

But it seems M^{r} Lane got a sight of it broke it open took a Copy of it then delivered it to the Merch^{t} and the Copy to the Colector of this they say nothing nor stir till the Merch^{t} is Gone out of Town then Imediately proceeded Contrary to the protestation of the Merch^{ts} Spanish Agent Lane takes the Cargo runs away with part of it out of the Government Leaves the rest to utter destruction the Colector Contrives to Justify himself by this Copy and Cast the blame of all upon me

When the Merch^{t} upon the 29th of August Informed me of Lanes proceedings he did not know or mention any thing of this Copy: But such a Clandestine proceeding so Contrary to Right and Injurious to this stranger whome all the rules of Christianity Honesty and Honour Obliged us

to protect and favour, I heard of with Abhorence and Imediately Gave order to put a stop to it

For Arguments sake at least takeing these facts reports and fears of the people and designe of the Colector to be true and the Case thus Circumstanced

The question before us is what protection the Law gives the Colector in his delivering the Cargo to Mr Lane from this Copy: and how far I am Chargeable with Mr Lanes proceeding in this Inhumane Maner

Here suffer me to observe

That this Copy was taken unlawfully Therefore no action that was unLawfull in itself Could be Justifyed by it

That an Instrument tho never so formally drawn and Executed is not the Act of the party till Lawfully Delivered but this Copy was Never Delivered by mee

That a Copy of an Instrument not recorded Can give no Right to any person to Act upon it

That this Copy shews that there is Not one Word in it Directed to the Colector or Mr Lane but to the Mercht only which he might use or not as he pleased therefore no person Could take benefitt by it but only from by or under him

I Come Now to shew that there was No Collussion between Mr Lane and my self to give him an order to receive and ship the Cargo without his haveing a speciall order from the Mercht for it

I Assure you that I never received by word or letter from Mr Lane or any other person any Notice that he so much as desired it

But the thing will best appear from itself

If this was Intended it Could not have been Accomplished by this letter sent to the Mercht and so Worded and Guarded that No person but from by or under him Could take benefit by it

If this had been Intended I should not have put a stop to Mr Lanes proceedings for this Would have been to defeat my own Act and Intention

If I never gave mr Lane any order at all to receive and ship the Cargo without the Merchants speciall order then I

never gave him such an order from Bribery or any other Evil Cause. I protest I never gave him any such order and Challenge him and all the World to produce it if they Can

If this had been Contracted between mr Lane and my self he would not have secreted the Copy and Delayed his proceedings till the Merch^{t} was gone out of Town and then made such hast in the business and then run out of the Government for fear of what orders the merchant should bring from mee

I need say no more and you see this letter is a Manifesto to the people to sett the matter in a true light before them and thereby free them from their fears and I think they are as safe from what was done by the Asembly as they are from this I am

your Most obliged
very Humb^{le} serv^{t}
R WOLCOTT

To Daniel Coit Esq^{r} to be Comunicated to the other Gentlemen in Authority in New London
[Indorsed] To Cap^{t} Daniel Coit Jan 21 1754

RICHARD PARTRIDGE TO ROGER WOLCOTT.

London 1st mo: or Jan^{ry} the 30th 1754

Gov^{r} Wolcott

My last to thee was of the 1st Nov^{r} last via Boston, wherein I sent your Colonies acco^{ts} since w^{ch} I have rec^{d} none of thy favours—this now brings thee a Copy of the Paper I drew up for the Duke of Newcastle who I advised thee Mason had as I was informed been Soliciting thrô one D^{r} Stennet to interceed with the Lords of the Treasury for money to carry on his Cause to harrass the People of Connecticutt—this I did that the Duke may be informed of both sides of the Question in dispute—which paper I deliver'd into the hands of the Dukes private Sec^{ry} who promised to communicate it to him; since which I dont hear much stirring in that Affair, Mason not having got any Money yet,

there is little likelehood at present of his bringing on the Cause to a Hearing for some time at least, thô he is here Still depending on it & his proceedings must be watch'd.

As to the Affair of the Spanish Ship S^{t} Joseph & S^{t} Helena—there is a Gent^{n} here in London viz Jacob Franco, who is impowerd as I understand by the Owners of that Ship & the Cargo in Spain to Solicit our Ministry for Restitution, he has been to enquire after me about it & I have had a conference with him on the Subject at large, wherein he urged the great hardships & Severities the Spaniards Sustained by the English in Connecticutt & expected they shoud make good the damage—I lett him know that the Transactions were principally managed by the Judge of the Vice Admiralty & the Collector who were Officers Commissioned by the Crown & that what they did the Governm^{t} of Connecticutt was not answerable for their conduct & that when ever he thought proper to exhibit his Complaint I was furnished with what was Sufficient to Justify the Gov^{r} & Councils Conduct & as I remember I mentiond the misconduct of their New York Agents also—& I did think he woud have put the Spanish Embassador on bringing forward the Matter of Complaint 'ere this time but as yet I have not heard any thing further about it but am Still in expectation of it:

And as to D^{r} Avery I have been with him & discoursed about his acco^{t} depending with your Colony & he acquaints me that when he hath paid all the Bills thou hast drawn upon him, the acco^{t} will be pretty even between you, & that all are paid except one bill of £300 to Edw^{d} Allen And one payable to Robert Walker of 25£ (?) which never yet come to his hands & for them he retains money in his hands to answer when they do appear.

People has been alarmed here on acco^{t} of a Squadern of War of 10 Sail with Land Forces w^{ch} are order'd to be Speedily fitted out under the Comand of Adm^{l} Hawke designed for the East Indies, & a warm press for Sailors has been for several days past w^{ch} they say are to follow a French Fleet that are lately (or now ready) to sail for the

Indies—what our Ships are to do when they come there is a secret—probably they are only a Squadern of observation, there being no likelyhood that I can understand of a War breaking out; we dont apprehend the Press will continua any longer than till the above said Men of War are fitted out & ready to saile.

It is said now that the Parliament will not rise so Soon by [ ] months as was once expected they would.

I am

Thy assured Friend

RICH^{D} PARTRIDGE

[Superscribed] To Roger Wolcott Esq^{r} Governour of the Colony of Connecticutt Windsor via Philadelphia

[Indorsed] Letter from M^{r} Partridge dated Janry 30th 1754 Rec^{d} May 20 1754

ROGER WOLCOTT'S OPINION ABOUT SETTLEMENTS ON SUSQUEHANNAH RIVER.

Copy

Windsor Jan^{ry} 1754

Being Well Inform'd That a Number of his Majesties Loyal Subjects have Confederated Togather, To purchase of the Indians a Tract of Waste Land Near Susquehannah River & To remove their families To setle a New Plantation and They have desir'd To know my opinion of their design

I am of opinion a New plantation or plantation att the place design Will be much for his Majesties Service as it will Inlarge The English possesions of the Coloney and advance our fonteirs into it and being Setled with good and orderly people Will Much Strengthen and Incourage the English In North America against the Incroachments of the French, Who are Continually Errecting Their forts Nearer and Nearer To us & Thereby driveing, the Indians from his Majesties Allience

And that it Will be a benefit to the Six Nations of Indians who have been allways In strict Alliance with the

English as it will better Secure Them from the Incroachments of the French and Strengthen them In Time of Warr against The force of the Enemy

I therefore Wish them good success In That Undertakeing and that they may never Want Incouragement from The Throne

R WOLCOTT

A True Copy of which Tim° Woodbridge Esq^r^ of Stockbridge has the Original

JOHN CHANDLER TO JOSIAH WILLARD.

Worcester Feb^r^y: 1^st^ 1754

*S^r^*

I have been to Hartford and Obtain'd all the Copys (to be had) Relateing to y^e^ Settlement of the partition Line between this province & the Colony of Connecticott, as Also a certificate of what is not to be found there "namely the Plan of y^e^ Riding Comisioners Signed at Windsor May: 6: "1713 The Ruings of the Line on y^e^ East Side Connecticot "River dated at Enfield November: 6: 1713, and the Grand- "Plan (as I call it) Signed Decem^r^ 31: 1713. Those originall Plans you are possess'd of, and the Runing of the Line above is in y^e^ Copy of y^e^ Comissioners doings dated July: 13^th^ 1713 now in your office attested by you, so that I think we have every thing sufficient to enable us to pursue the design of this Government by complaining to the King against the doings of Connecticott in taking the Towns of Woodstock Suffield Enfield & Somers under their protection Thô I cant but thing if the Ministry should Commend it to the Governments to settle the Affair Amicably between them selves it would be attended with consequences in favour to this province.

I had a very difficult journey the weather being extreemly cold when I set out and the Road very Ruff and of course dangerous Rideing, and when I got to that part of Hartford lying on the East Side y^e^ River I could not pass

the River but was Obliged to Ride Ten mile Round and with a great deal of difficulty I Return'd over y^e^ River it being full of ice occasioned by warmer weather & no less then Seven men to assist in keeping the ice from us but thrô the Good providence of God I got home well nor Rec^d^ the least damage excepting Lameing a horse which I left at Enfield occasioned by y^e^ hardness of the Road in going up, but on my Return he was able to bring me home.

Inclosed is my Acco^t^ by which it will be Seen I have paid £8: 16: 0: The Acco^t^ is Large, but its what I actually paid & have vouchers for Some of the biger Articles, Thô I cant think they would be demanded, when I got to Hartford there County Court was siting there by Adjournment So that I was under a seeming Necessaty of inviteing the Court & some Gent: attending on them to an Evenings entertainment in order to git the Secretary who is Clerk of that Court dismiss'd and one put in protempore but its quite a new thing & so y^e^ Court took it upon them to Receive verdicts & make minits while y^e^ Sec̃ry, was serving me which is y^e^ Reason why my Expences at Hartford were so high. I should be glad my Acco^t^ might be pass'd as soon as a Councill sits & a warrant drawn upon such an Appropriation that may be paid since I have advanced so considerable a sum

I have inclosed what I got at Hartford with the originalls I carry'd up. and Also a Copy of K Charles the II^ds^ Grant to y^e^ Duke of York and Two other papers being copys of Originalls lying in the Secry: Office which may perhaps be of some service on our Western boundary and as I tho^t^ so I hope I Shall Excused giting them they are not attested (w^ch^ y^e^ Sec̃ry) declin'ed doing, but will Serve y^e^ end for which I got them as well as if attested

I am not certain whither we have a Copy of the Patent I mentioned or not but as the Duke of York had Two Patents I was not certain but what I send might be what was wanting, if it is I shall be Glad if not the Cost is not much.

I hope my Services will be Acceptable, please to give my Duty to His Excellncy The Governour and to Hon^le His Maj^tys Councill.

I am S^r your Hon^rs most
Obed^t & very hum^le Serv^t
J CHANDLER

I did intend this for a copy but being very busy hope some interleniations will be over look'd & I Excused from writing a fairer letter

Hon^le M^r Secry WILLARD

[Indorsed] J Chandler letter to M^r Secry Feb. 1. 1754 enterd in Letter Book

JOHN CHANDLER TO JOSIAH WILLARD.

Hon^le S^r

I should be Glad to receive my due for going to Hartford if my Acco^t be Allowed pray deliver the Warrant to M^r Sam^l Williams my Son in Law if it should be tho^t a Large ac^t It must Lye for I cant think of Lesening it my journey was uncomonly bad some part of it Excessively cold, nor w^d I undergo what I did for twice y^e sum were there not a Necessaty of my going

I am y^r Obed^t Ser^t
J CHANDLER

WORCESTER Feb^ry 4 1754

if y^e Copys I got at Hartford att N York were good for any thing I Suppose M^r Welles will take them

[Superscribed] To The Honorable JOSIAH WILLARD Esqr Att Boston

ELEAZER WHEELOCK TO JONATHAN TRUMBLE.

Worshipfull Sir.

Your friendly interposition in the case of M^r English, in the time of his Necessity, has fill'd those who have be greived at his Misfortune, with gratefull resentments. he has Desired me to go with him to You this Day in order to

a Settlement of his Affair, and to take & give Security &c, but the State of My family is Such as wont well allow me to be from home so long. And besides I Should be glad y^{t} all his acco^{ts} be first Settled So that I may Certainly know w^{t} to depend upon when I Shall set in the affair. you are Sensible that my Calling and Business is Such as forbids my involving myself in Worldly care as I mig^{t} do in other circumstances. I purpose to See you and discourse of the affair in a Short time, what if you Should take security of M^{r} English for the present? I let him £50 old Ten^{r} in his great Necessity abo^{t} a month ago, which I very much want, & dont at present see how I can do with out it. abo^{t} £35 of w^{c} is Due to M^{r} Isaac Sawyer of Hebron which he stands in present Necessity off & £5 or 6 to Sam^{ll} Dewey. if you can help M^{r} English & me in that matter I shall be glad. which is the Needfull, in hast, from

Your Very Humble Servant
ELEAZ^{R} WHEELOCK

Leb^{N} Feb^{y} 5. 1754.

To Coll^{n} Jonth Trumble Esq^{r}

[Superscribed] To Coll^{n} Jonath Trumble Esq^{r} a Lebanon

ROGER WOLCOTT'S DECLARATION.

To Don Joseph Mig^{ll} De S^{t} Juan Super Cargo and Director of the Spanish Snow S^{t} Joseph and S^{t} Helena.

Whereas you were some Time ago put into the Port of New London by Distress and the said Snow upon Examination was found uncapable to put to Sea again on your intended Voyage to Cadiz by which Means it became necessary there should be a sutiable Vessell Charterred for your Return to your Designed Port.

And whereas Messieurs Henry Cuyler Jun^{r} and Henry Lane of the Provence of New York have charterred for your intended Voyage a Ship or Vessell called the Nebuchadnezer of the Burden of about one hundred and Ninety Six Tons whereof Joseph Smith of the said Provence is at present Master, and the said Master hath Made solemn Oath

before Me that the said Ship is well provided sutiable and sufficient to transport the said Cargo and Effects from the Port of New London to Cadiz.

I Do hereby Allow and Ratify the Doings of the said Cuyler and Lane in Chartering the said Ship to you for the Voyage aforesd

And Do Appoint and Impower your Agent Mr Henry Lane aforesd to recieve the Cargo and Effects brought into the Port of New London in Said Snow of the Collector of his Majesties Customs in said Port and to ship them on Board the said Vessell called the Nebuchadnezer for their Transportation to Cadiz in Spain, and so I wish you a good Voyage and prosperous Return Home. Given under my Hand in Windsor this 22nd Day of August Anno D 1753 and in the 27th Year of his Majesties Reign.

R. WOLCOTT

A true Copy Examined

R. WOLCOTT

It is self ev[ ]nt that my Letter to the Spanish Merchant of August 22nd 1753 was only an offer to him to improve (if he pleased) his Agent Mr Lane to recieve and ship the C[ ]o with my Permitt.

But it seems this Letter was broken open and a Copy of it given to the Collector and then the Original to the Merchant who knew Nothing that a Copy was taken

About five Days after in the Merchant's Absence the Collector delivers the Cargo to Mr Lane contrary to the Protestation of the Merchant's Spanish Agent.

I hear Mr Lane has run-a-way with part of it and abandoned the Rest to utter Ruin and it is given out that all this was Done by My Order aforesd and that the People of the Colony are fearfull that either myself or they must suffer by it at last.

Now to free them from these groundless Fears and to shew them that the Collector and Mr Lane only are chargeable with this Loss I offer the following Considerations Vizt

That this Copy was taken unlawfully therefore no Action that is unlawfull in itself can be justified by it.

That an Instrument tho never so formally Drawn and Executed is not the Act of the Party till lawfully Delivered. But this Copy nor the original of it was never by me Delivered to the Collector or Lane.

That the Copy of an Instrument not Recorded can give no Right to any Person to Act upon it.

That this Copy shews that there is not one word in it directed to the Collector or Mr Lane but to the Merchant only which he might use or not as he pleased and therefore no Persons could take Benefit by it but only from by or under him.

And further to answer the Clamour that I was hired to send this Letter I Declare that No Person whatsoever directly or indirectly ever so much as intimated to Me that Mr Lane desired an Agency from [ ]

R WOLCOTT

Windsor Febry 8th 1754.

ROGER WOLCOTT TO WILLIAM SHIRLEY.

Windsor March 2 1754

Sr

The Enclosed is a Copy of My Answer to yours of Jan 8th I sent it forthwith to the post office in New London for Conveyance and doubted not but that it was Come safe to hand till yesterday I was Informed by Mr Lloyd that it had failed

This Copy will so fully Inform you what Care has been taken in the Afair that I shall not need to Ad I Remain with Great Esteem

your Most Obliged
very Humble Servt

R WOLCOTT

To His Excelency Wm Shirley Esqr

[Indorsed] To Govr Shirley March 2 1754

ROGER WOLCOTT TO JAMES HAMILTON.

WINDSOR March 13. 1754.

S^r^

Yours of the 4^th^ Instant is rec^d^ and I hope that by your letters and my Discourse with M^r^ Armstrong I am now better informed than before of the state of the Susquehannah Land.

It is with Concern that we in these parts of the country continually hear news that the French are blocking up the Avenues of the Country North and West and encroaching upon the Lands belonging to the Crown of Great Britain we feare that this is very much from Backwardness in the western Governm^ts^ in promoting new settlements and there being now no unincorporated lands with us some of our Inhabitants hearing of this Land at Susquehannah and that it was North of the Grant made to Mr Pen and that to Virginia and upon a designe of making a purchass of the Indians and hope to obtain a Grant of it from the Crown this appearing to be a designe to promote His Majesties interest and render the Countrey more Defencible we were all well wishers to it.

But Mr Armstrong informes me that this Land is Intirely within Mr Pens Grant if so I dont supose our people had any purpose to quarrell with Pensilvania Indeed I dont know the mind of every Private man but I never heard our leading men express themselves so inclined

Your proposal to move M^r^ Pen and the Governm^t^ of Virginia to promote new settlements in the easiest maner if elected may turn the eyes of our people that way and it is but reasonable that land so far from the sea and on the frontiers should have the settlers on it encouraged in my opinion you may serve your King your Proprietaries and your Country in promoting this scheme and this may probably draw many of our people to settle in those parts which I hope will prove orderly and Industrious inhabitants and being used to war may be of good service on that Acc^t^

This seems to be a time if ever to promote so good a work and if omitted may prove our last oportunity.

we in New England from our beginning have often had hard service with the French and Indians and Hitherto made our part Good with them. It is probable the war will extend in the Western parts and you must come to a clash with the French which shall be the Masters of the Country in Which Case every man will be servicable according to his strength of body and Resolution of mind the Resolution of the soldier will be very much in fighting for his Country according to his Interest in it and if I must go out Let me have an Army of freeholders or freeholders sons

I have seen an Instance of this in the Siege of Louisbourg we had but about 3700 men and before we had done about 700 of these were lost or Invalids with these we beat the French at our Landing and besett the City the walls were some 34 30 and in some places 20 foot high from the bottom of the Trench and built so regular that one or more cannon swept every face of it the Trench was 11 foot and ten rods wide without it a Picket and Glacis on the walls were mounted 101 Cannon and 78 Swivills in the town were 51 mortars and all warlike stores besides this we had the Grand Battery and the Island Battery to subdue in the town were 2100 men and lads able to bear Arms before these walls we lay 49 dayes hourly expecting one army the enemy had raised to take Annapolis would be upon our backs we advanced our Battery within 40 rods of the wall we accounted we received from there 9000 grape shot and Bombs the ground about our Battery was plowed like a Cornfield yet I Never heard a man in this time excepting those in the Hospitall move to go home till we had taken the City and we took it, but how God gave us the victorie but humanly speaking it was because our soldiers were freeholders and freeholders sons and had a force of Interest in the Country and liberty and the men within the walls were Mercenary troops

When ever the war Comences with you I think a small army of such men well Apointed and Disciplined will soon Convince the French of their error in provoking and Insulting of you I think a few of them will be more than a match for a multitude of their Plebes brought up in slaverie and

that have no thing to fight for of their own This brings to my mind a story a Gentleman told me that he went in to see his Negro man then dying and seeing him far gone said to him Coffie you are just going are you not sorry No Massa says the fellow the loss will not be mine

pardon the Length of this letter and be Assured that I am with Great Esteem

Your Hon^rs^ Most obedient
very Humble serv^t^
R WOLCOTT

To the Hon^ble^ JAMES HAMELTON Esq^r^

JAMES DELANCEY TO ROGER WOLCOTT.

NEW YORK 19^th^ March 1754

Sir

By a letter from the Lords Commissioners for Trade & the Plantations directed to his late Excellency Sir Danvers Osborn, which came to my hands since his death, their Lordships observing the present wavering disposition of the Indians, think a General Interview by Commissioners from the several Governments with the Indians at this time necessary in order to wipe away any ill impressions that may have been made on them by our Common Enemy; as this Measure is of evident utility and even necessary at this time, I shall not need to press you with any Arguments to bear your part at this interview by sending Commissioners from your Colony to meet at Albany on the 14^th^ of June next the time appointed for this purpose, not only to join with the other Governments concerning Indian affairs, but to concert some plan for the common defence of these countries against the French & their Indians, either by building Forts in proper places & making settlements near them or any other measures that may be thought adviseable to annoy them in case of a War. An interview is at this time the more necessary, as I am informed by Governor Shirley that the French are instigating the Indians to the eastward against the people of the Massachusetts Bay and making a

settlement in that Province. They are also making incroachments & building forts on the back of Pensylvania & towards Virginia to obviate which Governor Dinwiddie is about building a Fort on the Ohio and promises great encouragement to such as will inlist for that Service, as you will percieve by the inclosed proclamation.

I have received information that one Nathaniel Key had passed in your Colony four, 20/ bills counterfeits of the bills of this Province to Capt Durfy for which he was apprehended, and now is in Goal; upon my communicating this information to his Majesty's Council here, they advised me to apply to your Government, that the said Key might be sent to this Province to receive his Trial here: I do therefore request the favor of you, that you would be pleased to order him under a sufficient guard to Byrom River, where the officers of this Province shall receive him, in order to his Tryal or if he can & will discover the counterfeiter & his accomplises that he may be a witness. I promise you that in a like case, I shall give orders, that offenders against the Credit of your Currency shall be sent to you I am

Sir Your Honor's
most obedient & most
humble servant
JAMES DeLANCEY

Governor Woolcot

ROGER WOLCOTT TO JAMES DeLANCEY.

Windsor Aprill 5th 1754

Sr

yours of the 19th of March is Come safe to hand I look upon the Apointment of a meeting of the Respective Governments with the Indians at Albany as a Good Efect of His Majesties Wisedome and Care for the plantations in Referring our Afairs to the bord of Trade &c:

I shall lay this afair before our Assembly in May next and hope that meeting will be Attended by all the Govern-

ments and Crownd with success I am your Hon^rs
Most Obedient
Humble serv^t
R WOLCOTT

P S I imediately sent to New London to Enquire after Key that I might send him to you and by a Letter from Coll^o Saltonstall I am Informed that he had some time before broke the prisson and Escaped

R WOLCO[ ]

To the Hon^able JAMES DELANCY Esq^r

FRENCH PROTEST AGAINST ENGLISH SETTLEMENT IN THE OHIO VALLEY.

A Summon by order of Contreceur Captain of one of the Companies of the Detachment of the French Marine Commander in Chief of his most Christian Majesty's Troops now on the Beautifull River: To the Commander of those of the King of Great Britain at the mouth of the River Monongahela

Sir.

Nothing can surprize me more than to see you Attempt a Settlement upon the Lands of the King my Master, which Obliges me now Sir, to send you this Gentleman Chevale^r Le Mercier, Captain of the Bombardiers, Commander of the Artillery of Canada, to Know of you Sir, by Virtue of what Authority you are come to fortify your self within the Dominions of the King my Master, this Action seems so contrary to the Last Treaty of Peace concluded at Aix La Chapelle between his most Christian Majesty, and the King of Great Britain, that I do not know to whom to impute such a Usurpation, as it is incontestable that the Lands Situated along the Beautiful River, belong to his most Christian Majesty.

I am informed Sir that your undertaking, has been concerted by none else, than by a Company, who have more in view the advantage of a Trade, than to endeavour to keep the Union and harmony which Subsists between the Crowns

of France and Great Britain; althô it is as much the Interest Sir of your Nation, as Ours to preserve it.

Let it be as it Will Sir, if you come unto this Place, charged with Orders, I summon you in the name of the King my Master, by Virtue of orders which I got from my General, to retreat Peaceably with your Troops, from off the Lands of the King, and not return, or else I find my self Obliged to fulfill my Duty, and compel you to it. I hope Sir you will not defer an Instant, and that you will not force me to the least Extremity; in that case Sir you may be perswaded, that I will give orders that there shall be no Damage done by my Detachment.

I prevent you Sir from the Trouble of asking me one Hour of delay, not to wait for my consent to receive Orders from your Governour, he can give none within the Dominions of the King my Master; those I have received of my General are my Laws, so that I cannot depart from them.

If on the Contrary Sir, you have not got orders, and only come to Trade, I am Sorry to tell you that I cant avoid seizing you, and to confiscate your Effects to the use of the Indians our Children, Allies and Friends, as you are not allowed to carry on a Contraband trade. it is for this reason Sir that we Stopped two Englishmen last year who were Trading upon our Lands; moreover the King my Master asks nothing but his right, he has not the least intention to trouble the Good Harmony and Friendship which Reigns between his Majesty and the King of Great Britain.

The Governour of Canada can give Proof of having done his utmost endeavours to maintain the Perfect Union which Reigns between two Friendly Princes, as he had learned that the Iroquois and Nepissingues, of the Lake of the two Mountains, had struct and Destroyed an English Family toward Corolina he has barred up the Road, and forced them to give him a Little Boy belonging to that Family, which was the only one alive, and which M^{r} Wlerick* a Merchant of Montreal has carried to Boston: and what is

*Wheelwright, its thought is meant

more, he has forbid the savages from Exercising their Accustomed Cruelty, upon the English our Friends.

I coud complain Bitterly Sir, of the means taken all Last Winter, to instigate the Indians to accept the Hatchet and to strike us, while we were Striving to Maintain the Peace.

I am well Persuaded Sir of the Polite manner in which you will receive Mr Le Mercier, as well out of Regard to his Business as his Distinction and personal merit. I expect you will send him back with one of your Officers, who will bring me a Precise Answer; as you have got some Indians with you Sir, I Join with Mr Le Mercier an Interpreter, that he may inform them of my intentions upon that Subject

I am with Great Regard
Sir
Your most humble and
most Obedient Servant
CONTRECCEUR

Done at our Camp April 16: 1754
Philadelphia 6 May 1754 A true Copy Examined By
Richard Peters Secretary
New York 13th May 1754 A true Copy Examd By
Go Banyar D Secry

JAMES DeLANCEY TO ROGER WOLCOTT.

New York 22d April 1754

Sir

In my Speech at the opening of this Session I declared my Apprihensions, that unless the Colonies unite in measures for building Forts in the Indian Country for their Security, and the Safety of the Women and Children when the Men are abroad, and for sending Smiths and other proper Persons to reside among them. We shall loose the little influence we still have over them: and that though it was reasonable the Expence should be borne by the Colonies in general, yet it might be expected a Scheme for that purpose should take its rise here. I also recommended to the Assem-

bly that they would enable me to build a Fort or Forts on the Northern parts of this Province, until I had used my Endeavours to bring the neighbouring Governments to join in the Expence of erecting as many Forts, as might be necessary to guard them and us from the Incursions of the Enemy on that quarter: upon which they came to the Resolution inclosed. And as I doubt not of your agreeing in Opinion, that the building Forts in the Indian Country is an essential Step, towards securing them and their Allies in his Majesty's Interest, in which all the Colonies are much concerned; and that the erecting Forts on the Northern quarter towards the French, is a necessary measure for our common Security: You will I am perswaded use your Endeavours to bring your Assembly to join in this Expence. We cannot have a more favourable opportunity to concert a Scheme for this purpose, than at the Albany Treaty, where I hope to see Commissioners from your Government instructed on these heads.

I am favoured with your Letter of the 5th Instant and beg you would inform me of the best Method of conveying my Letters to you. I am

Sir your most obedient &
Most humble Servant
JAMES DeLANCEY

Governor WOLCOTT

RESOLUTION OF NEW YORK GENERAL ASSEMBLY.

Assembly Chamber the 17th April 1754

Resolved that inasmuch as the securing the five Indian Nations, and those in alliance with them, in the British Interest, is of the utmost consequence to all his Majesty's Colony's on the Continent, and as they have requested to have Forts built among them to secure their Wives and Children when they go out to War, in behalf of the British Nation; and as the Building such Forts, and some others on the Northern Parts of this Colony, will cover, and in a Great measure secure, the settlements of several other of his

Majesty's Colonys, against the Incursions of the French and their Indians; His Honour the Lieutenant Governor be humbly Addressed, to use his endeavours with the Neighbouring Governments, to Join with this Colony in the Expence of Erecting and Maintaining such Forts: and to assure him that this House will readily come into any well concerted scheme for that purpose

Ordered that Mr Thomas and Mr Miller wait on his Honour with the said Address.

By order of the General Assembly

ABRM LOTT Junr Cl

NEW YORK 20th April 1754 A true Copy Examd By

GO BANYAR D Secry

RICHARD PARTRIDGE TO ROGER WOLCOTT.

3d mo: or March 27th 1754

The foregoing* is duplicate of my last to thee via Philada since which I have nothing further material to advise respecting the matters mentd in my aforesaid letter—thou wilt doubtless 'ere this comes to hand have heard of the death of Henry Pelham Esqr the Prime minister who died the 6th Inst. wch will occasion some considerable alteration in ye ministry the great ℔sonages which are promoted already are Ld Ch: Justice Lee of the Kings Bench is appointed in his room Chanr of the Exchequer pro tempore; the Duke of Newcastle is first Ld Comr of the Treasury, Lord Holderness is Secry of State for the Northern departmt in room of the Duke, & Sr Thos Robinson Secry of State in the Southern department & Plantations in Ld Holdernesses room — sevl other promotions are talkt of but wch are yet not to be depended on till the Parliament rises wch they Say will be the 4th of next month when they will be disolved and a New Election of Members ensue, Interest is already making for it in divers parts of the Kingdom which doubtless will very much take up the time of the

* Dated Jan. 30, 1754.

Ministry & the great men & divert other Affairs for a while

I am as before

R. P

I have rec^{d} Several lett^{rs} lately from the new Sec^{ry} of States Office S^{r} Tho^{s} Robinsons to forward for Sev^{l} Gov^{rs} of the Planta^{s} viz for Pensilv^{a}, New Jersey, & Rh^{d} Island, but none for Connecticutt w^{ch} makes me think they made Some mistake & sent it to another Agent as they did once before

5th mo: or May 4. 1754

This Ship Cap^{t} Starr for New Lond^{o} staying a good deal longer than I expected gives me y^{e} opportunity of acknowledging y^{e} rec^{t} of thine of the 10th Jan^{ry} last wth y^{e} Sev^{l} Papers thereinclosed, & my Several Bills returnd w^{ch} I sent thee some time Since; As to y^{e} Affairs here relating to yo^{r} Colony, I dont find but every thing remains as when I wrote thee last. The Parliam^{t} having been dissolved on y^{e} 8th Inst by proclama, People have been very much taken up in y^{e} new Elections that little business is done at y^{e} Offices at the Court end of the City but I shall be on the Watch.

Mason continues here still but not able to get forward for want of a Supply from y^{e} Treasury, And as to y^{e} Affair of y^{e} Boundaries with ye Massahusets I have long since instructed & ord^{d} our Solicitor to draw up a proper State of the Case for Counsels opinion & often calld on him for it w^{ch} he has not yet compleated but I have been promis'd it a good while since, when I have got it with the Opinion I shall send thee a Copy of it.

The Affair relating to the Spanish Ship seems to lay dormant at present & whether anything will be done in it till a new Span: Embassador arrives here is uncertain, y^{e} old one being lately recalled.

On the death of Hen: Pelham Esq^{r} & since that of the L^{d} Chief Justice of the Kings Bench diverse Changes & promotions have been made in the Ministry as hinted in the foregoing letter, but they have been Such as are pretty much if not altogether of y^{e} same political princeples as those of the preceeding.

The accot of the alteras thou wilt find at ye latter end of ye April Magazine herewith sent, of which with the other prints I desire thy acceptance from

Thy assured Friend

RD PARTRIDGE

the Duke of Newcastle is now at the head of the Treasury who with Lord Chancr I apprehend will principally have under ye King ye conducting ye publick affairs of the Kingdom as prime Ministers

[Superscribed] To Governour Wolcott & Capt Starr

APPENDIX.

APPENDIX.

JONATHAN LAW'S ADDRESS TO THE GENERAL ASSEMBLY.*

Gentilemen

As by Rewards and Punishments Obedience to ye divine law is inculcated on the rational part of ye Creation and as human laws are enforc'd by ye same Meanes so alsò there is a Rule of Proportion to be observed in ye Distribution of Rewards for ye Services that are done

And I Observe that ye Proportion by which ye Wisdom of this Assembly hath taught them to govern themselves by hath been as followeth

to a Capt 1 4 6

to a Lieutt 0 19 3

and to a Colll as I am informd 12s ℔ diem

and to a Lieutt Colll 8s ℔ diem

and to ye Govrs & Deputy Govrs before the late Govr Saltonstall & Dep: Govr Gold

To Govr Winthrop 120ll

To Dept Govr Treat 60

I would not be instrumental to abate on ye Honr & Dignity of ye Post you have putt me in, least it dwindle away to Contempt & therefore would not be wanting in doing my part for ye Recovery of what is lost in so considerable an Article, and not leave ye Office in its decay'd Repute to ye prejudice of them who shall have the honour to come after me. Gentilemen I apply my self to you as my Judges in this Case. If ye Lieutt or Dep: Governours Post be not, half so honourable as the Governours, or one of less than half ye Abilities would agreeably fill up ye place, or if

* This address to the General Assembly was evidently made while Law was Deputy Governor, 1725-1741. It refers to an "addition" to his salary made the previous May, and as such an addition was granted in May 1727, this address was probably made in October 1727 or May 1728.

you have not half y^e^ Dependance in Affairs of Difficulty or if he doth not half so much Service for you, then let your Rewards be not only halved but subdivided again as heretofore. however I thankfully acknowledge y^e^ addition you made in May last. And to Conclude I cant think I shall deserve your Resentments for putting you in mind of comparing both his Honours, and my allowances with many Gentilemen's (w^ch^ We readily acknowledge to be little enough) whose Posts & places of trust it will be no Vanity in me to subordinate in it as to divert me from even all my own private & ordinary Affairs I should suspect my self negligent in yours. Now Gentilmen to Conclude, Upon y^e^ Principles I have sett before you, I must begg leave to be of y^e^ Opinion that if you allow me not half so much as his Hon^r^ y^e^ Gov^r^ a due Proportion in your Distributions will not be attended

JONATHAN LAW'S SPEECH TO THE GENERAL ASSEMBLY, OCTOBER 1728.*

May it please your Hon^r^ and this Assembly

The time allowd me for Consideration bears but little Proportion with the Importance of so great an Undertaking as you have proposed to me

To which I must say That since I have so freely declard to you my Opinion concerning it, I can do no less than look upon it with y^e^ greatest Satisfaction That notwithstanding all that I have said of my fears of its being but an Introduction to greater Inconvenienceyes and an Expence with little hopes of Success, that you should betrust me with it, is such an Evidence of your Confidence in my fidelity as dos abundantly make up what seemd to me to be wanting in my Psall-

* In October 1728 the General Assembly appointed Jonathan Law to represent the Colony in the court of Great Britain. As this document shows, it was desired to have an agent in England at this time to care for the colony's interests, which were threatened by the famous Winthrop case relating to the hereditary descent of lands. Upon Law's declination, Jonathan Belcher was appointed.

ery the last year and this. Yet since I have been told by, (as I understand it) the primum Mobile and chief Spring of this Motion That for ye Reason aforesd no pressing Argumts could be used with me to enter upon the Negociation, I suspect I should but defeat the Scheme that has been laid. and must decline it at this time.

I Rely upon it That I need not give you any new Evidence of my being invioably attachd to the good Constitution of this Corporation, the most of my Interest in this world (thô it be less than many of yours) is embarkd in the same Bottom with yours, and althô I cant pretend to the like Capacity to penetrate into the State of this Affair that many of you Gentlemen have, yet I dare presume to say That none of you could have it by nearer your hearts or could have more industriously improved the Advantages you have had than I have done all that lay in my reach.

And ye Result of all my Meditations are as follows Viz That we are in no present Apparent Hazard of a Dissolution but ye contrary appears to us from many Circumstances which might be too tedious to you for me to enumerate.

That ye vacating of our law is either from its being contrary to a Rule in the comon law which extends to this Plantation or from its being contrary to ye Rule of ye comon law at home exclusive of any Consideration of its extending hither And with respect to the first of them. I am strongly perswaded That if it be ye Opinion of the King and Council That ye Rule of ye comon law is That whoever hold land under the great Seal of England shall have their lands descend according to the Course of the comon law. That then we shall strive in vain to get that Determination altered, & our Safest way would be, to come into it. but in Case that law is contrary to the law of England wch is contrary to the Rules which are establishd for yr Goverment at home, then we may (I think) depend upon it That the very body and substance of our law will be destroyd at the next Stroak and why should we precipitate our own Ruin. and this putts me in mind of ye fable, and its better for us to bear the Sting of one Bee than to bring ye whole Swarm upon Us.

I am morally assured (That if ye Principle in the comon law which I before mentiond do not stand in our way,) That if we may have dependance upon a Determination so lately as in Queen Ann's time That we shall be safe in reviving our ancient law Viz That Estates of Interstates should be disposed of according to the Rules of Equity and Righteousness, if the famous Salked may be believed. for in a Case from Jamaica it was Resolved That in a conquered Countrey (as I take ours to be) the Kings Subjects do not carry the laws of England with them and till the Conquerour has declared his law, the Subjects shall be governd by the laws of Equity and Nations. And the way whereby the King the Conqueror dos here declare his law, is mediately by our making laws pursuant to the Authority given us by his Royal Charter and till we have done that, we must be governed by the laws of Equity and Nations in every Case, wherein we have not specially provided. and it is easy for us to make such a Declaration, and how little Variation that will make in our practise is easy for us to conceive

I could be content to run all Hazards of my life and fortune (so far as I know my own heart) if I were sensible of the Hazard of our most valuable things w^{ch} concern a Countrey, but when other Measures seem to me to be our greater Safety I would intreat you to excuse me, if you can believe me I am not nor never was in M^{r} Winthrops Interest any more than in every mans in the Colony.

I may be single in my thôts about these Affairs for ought I know and I can assure you That I do so firmly adhere to our Constitution of being governd by a Majority That I shall be free to Adventure my Proportion of the Disbursements wth whomsoever you shall see cause to betrust being my self excused

JONATHAN LAW'S SPEECH TO THE HOUSE OF REPRESENTATIVES.*

To Mr Speaker And ye Gentilmen of the lower House

In the beginning of my Service in the Post I am yet in for several years, my allowance was but 50ll ℔ annum in one of which, by my only Care with Difficulty I brôt 50ll into the Treasury, which otherwise would have been inevitably lost, so that truly I was no Charge at all to you that year.

I have lately served you on a [ ] and difficult Occasion wholly at my own Cost and Charge and Hazard, when this Assembly all (I only excepted) were paid for yr special and extraordinary Service.

This Assembly were so Honble as to give ye Govr 40ll when he had taken special Care to see that a Delinquent was prosecuted for ill practicing on ye Bills of Creditt and one hundred pounds since for some other Considerations.

I have also been building that my Habitation might not be dishonourable to the Govt and have on other Accounts advanc'd considerable in hopes to premote a publick good by Example, by meanes whereof I am considerably reduced and my Substance much exhausted.

I would also lay before you a Consideration or two more and leave the matter to your wise and generous Improvement

The general practice of this Govt hath been to allow to the Dep: Governours about half so much as to the Governours of this Colony till ye late Govr Saltonstall and Dep: Govr Gold, the later of which Gentilmen, by meanes yrof sunk into a mean and contemtible way of living for a man of his charecter an Observation which cant be wholly forgotten.

Your Allowence to them who assist me in the Circuit is ever the same which you have made to me. excepting only ten shillings ℔ week for a man to carry my Portmantua for ye honr of ye Govt ye rest of ye Charge of it came out of my

*It is not possible to fix the date of this speech; but it is evidently while Law was both Deputy Governor and Chief Justice of the Circuit Court, which would place it between the years 1725 and 1741. It may be conjectured to be about 1734.

equal allowance with my brethren. and more lately ten pound a Circuit on y^e^ same Consideration which Sum will not hire and support a man and horse thrô y^e^ Circuit.

I am willing to serve you to y^e^ uttmost of my power and Skill as god shall enable me, but it is discouraging when I observe that I cant do it in any agreeable mañer but at y^e^ Expence of so much of my own Substance and more especially when it casts an Aspect of Resentment or at least y^e^ loss of favour with my employers and want of Acceptance with them, whose true Interest I desire to serve in all Integrity and Uprightness according to the best of my Judgm^t^ and y^e^ Skill and Understanding God shall give me

JON^TH^ LAW

THOMAS NOYES TO JONATHAN LAW.

STONINGTON Nov^br^ 2. [1739]

*May it please your Hon^r^*

This Day I Received a Letter from Coln^l^ Almy of Tiverton Informing me y^t^ M^r^ Brenton is now willing to come to a final Settlement of all our Lands in y^e^ Petesquomskut Purchase and Desires [ ] to your Hon^r^ and other's Concerned therein that we might mutually agree upon a time & Place suitable, and give seasonable Notice of y^e^ same to M^r^ Brenton and he woud attend, In order to y^e^ chusing some meet Persons to Qualefy y^e^ several Parcels of y^e^ Land, or to take such other measures as shall be then agreed on so y^t^ we may hold our Lands in Severalty for the Sutes; Col^l^ Almy writes that he Inclines to such a Measure, Thinks that Cases's att S^o^ Kingston or near There, is a suitable Place, Supposes all may be done this fall or winter That Each may know his own by y^e^ Spring. I Trust, your Hon^r^ wont be backward to favour and forward this Affair, which I look upon to be for y^e^ Interest & Peace of many. I hope for an Answer by y^e^ first Opportunity; & leave it w^th^ your Hon^r^ to fix on Time and Place for y^e^ Parties to meet And pray you to Communicate y^e^ same to y^e^ Rev^d^ M^r^ Eliot and any others (if such

there be) in y^e^ Colony that are Interested in s^d^ Purchase: And I will Endeavour speedily upon y^e^ Reception of y^r^ Answ^r^ to Notify y^e^ Parties in y^e^ other Governments. I am Sir, Your Hon^r's^

Obedient hum^bl^ Ser^t^
THOMAS NOYES.

[Superscribed] For The Hon^bl^ JONATHAN LAW Esq^r^ att Milford

JONATHAN LAW TO THOMAS NOYES.

M^r^ Noyes
*S^r^*

Yours of the 2^d^ Instant I rec^d^ but was not under Advantage to give you an Answer before this Time. It looks to me likely to take up considerable time before we can have a Conference w^th^ any Dependance that such a Meeting shall be. I have therefore concluded in my own mind on Thursday y^e^ first Thursday in April next to be most likely [ ]attend upon. in Case I might receive a Line from M^r^ Brenton, signifying his Complyance therewith and be informd from your self or others of y^e^ Complyance of y^e^ rest concernd, there with.

My Son in law M^r^ Hall will also wait on M^r^ Brenton on the proper Significance as afors^d^

And so I Subscribe
Your faithfull ffriend
and humble Servant
JON^TH^ LAW

MILFORD Nov^br^ 26^th^ 1739

JONATHAN LAW'S SPEECH TO THE GENERAL ASSEMBLY, MAY 1742.

Gentlemen of y^e^ Council and House of Representatives

It becomes us to lay aside all private Views and sinister Reports and I trust we all come here with a single Design to promote the publick good of the people who sent us and

at whose Expence we come, and yr in to advance ye Interest of the British Crown, by ye authority wrof under god we are formd into one body Corporate, that as we are one body, we may have but one mind and in our publick Capacity may we with one heart wisely consult ye good of ye whole with as much Industry and truth as we would our own personal Interest in our private Capacities.

Its unreasonable to expect that in a Body aggregate every individual Member should have the same way of thinking in every thing, yet if we can content our selves with the Results and Determinations of ye Majority by wch we are authorizd to act, we shall comply with our own Make and Constitution, but if we are otherwise minded we contradict our beings and would destroy even that wch gives us our very Existance. A Stepp or two lower would sink us into Anarchy and Confusion, and every Stepp higher would advance towards Monarchy. how happy then should we esteem our Constitution, and chearfully submitt our selves to ye Rules of it, the natural Consequence wrof would be peace and we might hope the god of peace would be with us and bless us.

It will be necessary for us to remember that we stand here in civil Capacities as State's or comonwealth's men and consider what is ye proper work and business for us to enter upon.

I think it will be a mistake in us if we think we come here in the Quality of Divines to settle abstruse Points in Divinity and it has ever been of ill Consequence to a State wn different sentiments in matters of Religion have been permitted to break in upon and perplex ye Civil State to ye making Parties and Divisions in it, by means wrof the good of the whole is neglected and the Administration tends only to the good of a Party. Kings indeed should be nursing ffathers to the Church of god, and there are things of a civil nature, without which humane Societies civil or sacred cant be subsisted. proper Measures therefore should be consulted by civil powers for that part of religious Affairs which are of a civil nature wthout imposing on mens Consciences, that

peace and good Order may be kept and maintaind. and if any thing of this nature be found in our civil Establishments that dos exceed or come short of these Limitts it may require the Care and Attention of this Assembly to rectify it. is there any thing amiss let it be repeald is any thing wanting to support our Constitution let it be supplyd

The true christian Rule is To be subject to y^e^ higher Powers when y^r^ Com̄ands are not contrary to y^e^ laws of God. but y^e^ Romish erroneous Tenet is that there are no higher Powers y^n^ y^r^ own to be subject to, and assume the Supremacy to y^m^selves.

To disobey Magistrates is a Doctrine destructive to all civil powers and cant be cloakd under a consciencious pretence.

We come here cloathd with civil powers and ought to keep our selves within our proper Limitts and prudently concert measures for the best good of y^e^ body of the people whom we represent.

That Moses and Aaron go hand in hand doubtless is expedient for y^e^ good and Tranquility of our people, and if we compare the civil with our ecclesiastical Constitution we shall find a perfect Harmony between them, in our civil there is required a Majority of y^e^ Upper house as well as in y^e^ lower, in our lower Courts of y^e^ Court as well as a Concurrence of the Countrey or Jury In our ecclesiastical Courts, a Concurrence of the Major part of y^e^ Ministers as well as of the major part of y^e^ whole, of y^e^ churches by y^r^ Messengers and Elders. possibly this may be wanting among our Ecclesiasticks That no Appeal from our ecclesiastick Courts in y^e^ Consociation to y^e^ Delegates from y^e^ several Consociations is not provided for as in civil Affairs y^e^ last Resort is to this Assembly in some suitable form

Suffer not our ecclesiastick Constitution so agreable to our civil Polity be sappd and undermined for want of suitable Precautions. let not y^e^ Indulgencies given to men of other Professions be usd by men whom you imploy to sett aside all y^e^ Care and Charge of this Assembly in settling suitable Bounds of Parishes.

How we may protect our Coasts, Ports and Borders from the Insults of our open and profest Enemies and from all secret Attempts and maintain peace and good Order among our selves requires your serious Meditation

The Battery begun in our principal Port is not prepard for our Defence as it might and ought to be. our Neighbour Provinces are making Preparations for yr Defence as men under Apprehensions of danger. why should we indulge our selves in Security

The unhappy Circumstances of our Colledge which for want of supporting due Order and Regulation has dispersd yc Students at an unusual Season should be rectifyd before yr Return least it suffer a fatal Dissolution. good and wholesom laws and orders ought to be made by ye Govrs of ye Colledge and then duely executed, for youth there to be traind up in Disobedience to them will lay a foundation for Sedition and Disregard to all humane laws

A Door seems to be opend att which men of ye most corrupt Principles may enter and mislead and corrupt unwary people and its much to be feard the popish faction have yr Emissaries among us under Disguise as well as in other parts of ye Kings Dominions

The further Attack Mr Mason is making upon us must be guarded against

Mr Secry shall lay before you the several Accounts that have occurrd since our last Sessions and have come to my hands

God grant our Counsells may not be divided but directed. Its a time of much difficulty and Distress in ye world notwithstanding ye many favours that may be shewn in it.

Your close Application to ye business of this Assembly I need not urge upon you Gentlemen

ROGER WOLCOTT TO EDWARD HUTCHINSON.

WINDSOR, May 16 1743

S^r^

You are already Informed that I engaged Mr. Fowler with Mr. Pain to prosecute your Claime to Ocquoshetuck and since Mr. Pain is turned from the Law to exhorting Mr. Fowler has took the papers but the beginning of last month he delivered them to me again Nor could I prevaill with him to go to the place with a surveyor in order to Discribe the land in Controversie in the writt yett he promised that if I could prevaill with my son to do that service and lay the Action he would join with him in the tryal. I delivered your papers to my son and [ ] to advance the money for his satisfaction as I had [ ] Mr Fowler before he pleaded his business and the great Distance to the place and I could not Gitt a promise from him nor did he absolutely Deny me Thus lyes the afair at present and I shall further press the Matter and this I thought needfull to propose to you Lest you might think there had been some unfriendly Negligence on my part and that you might Consider what steps further to take In my opinion your title is Good and the evidence you have now sent is full but thro one unhapie turn or other I never knew a lesse mater with more dificulty and delay Mr Pain lived near the place and would have done well had he kept steady Mr Fowler lives much Nearer than my son but pleads his business and will not be prevaild with My son is in much business but I shall continue to press him till I hear you have ordered other wise The w^d^ you delivered to Mr Pain is still in his hands

I give my service to yourself Madam Wolcott and my kinsman her son and Remain Honorable Sir

your very Humble Servant

ROGER WOLCOTT

To Edward Hutchinson Esq[r]

Hartford, May 18[th] 1743

yesterday I met with Mr Fowler at this time and told him what I had wrote he told me Enno(?) had been with him and Claimed an old promise from him which he had forgott but he could not be on your side My son was close in Town and I told him how the Case stood he told me he would undertake it whereupon I broke up the seall to insert this if you ingage my son I supose he has no power of Attorney and must be furnished

yours

R. W.

[Superscribed] To The Honourable Edward Hutchinson Esq[r] In Boston

JONATHAN LAW'S SPEECH TO THE GENERAL ASSEMBLY, OCTOBER 1746.

Gentlemen of the Council and Representatives

I have impatiently waited for this Opportunity under the unhappy Situation of our Affairs in relation to the Warr with our Enemies the ffrench and Indians

In May last you passt divers Bills, which had they been put in Execution might thrô the blessing of heaven have prevented the mischiefs which have befallen the Western Frontiers of our Northern Neighbours but on your receiving an Acc[t] of an Expedition against Canada those Bills were laid dormant And pursuant to his Maj[ties] Orders signifyd to us by his Grace the D of New Castle you did agree to raise 600 men and as many more as should freely offer themselves, to joyn his Maj[ties] forces in an Expedition against Canada. And the Number being thôt to be too small and the Encouragement you then gave too little (neighbouring Governments out bidding Us) at the Solicitations of many) I calld you together on y[e] 19[th] of June following. At which time this Assembly thôt proper to encrease the number to a 1000, enlarge the Premium and enhance the allowance for Cloathing in hopes of a Reimbursement for the Cloathing

and Arms when the Lieut Genl should arrive. so that Billitting the souldiers for so long a Season and providing for their subsistance for so long a time and so many Transports to be improvd has run us into unexpected arrears wch for the Support of our Credit proper Measures should be taken to Retrieve.

But that which compleats our Misfortune is the Disappointment which Providence has put upon us, in frustrating our Expectations of seasonable Assistance from Home, which gave us a promising Aspect of entering our Enemies Countrey by Sea and land; but instead yrof they invade our Borders and make Spoil on our Frontiers and terrify us with a strong naval force.

When the Season seemed to be laps'd for our proceeding by water, a land Expedition was projected and hopes of its going on were entertaind, then a strong naval and land force arriving from France on our North Easterly Coast put some of our Provinces into great Consternation and the utmost Convulsion and that not without grounds as you will see when you hear ye papers read which I have to cōunicate to you

On the fearfull Apprehensions and earnest Solicitations of our Neighbours The Comtee of Warr att Hartford have sent 300 men into the Frontiers of our Northern Neighbours: and by the Advice of his Honr ye D. Govr the Council that were with him att N London and other Gentlemen of Consequence, I orderd a Detachment of one half of the able bodied men in every of our Regiments: as also our Canada Regiment to be ready at an hours Warning to march to the Assistance of our Neighbours on the Approach of an Enemy.

But on hopes of the British Squadron under ye Cōand of Admiral Lestock coming to our Relief with Lt Genl St Clair many Vessells are sent forth to meet them and give the needfull Advices. and at the pressing Instances of Govr Shirley and Admiral Warren for our Sloop Defence to go in Quest of that Fleet and carry the Paquett of Intelligencies, I did with ye Advice of my Council, on Monday last send Orders accordingly to Capt Burnham to go on a Cruise to

the Eastward for that purpose wch if you do not approve of, may possibly be recalld

When our Levies were compleat, by the Advice of my Council I sent a Messenger to Boston to know what numbers they raised, when they should embark and whether they would proceed without their Comissions ? and my Answer was They should embark on the 14th of Augst and not wait an hour for yr Comns

Whereupon I orderd our Troops and Transports to N London

And having proposd what should be done in Case the Comns come too late to proceed to Quebeck Viz: That they be orderd against Crown Point. as also what should be done in Case they come not at all. and signifyd That I stood ready to call an Assembly and unite our forces against Crown point.

And when it was concluded to be too late to go up the River a Scheme was proposd by Mr Shirley and Mr Warren being the Majr part of the Comtee to whom ye Alteration of ye Plan of Operation would be left, as signifyd by the D of N Castle in a Letter to Mr Shirley to send all the forces against Crown point. An Extract whereof I have since obtaind

Whereupon I Orderd our Troops and Transports back from N London and to be bilited in the places where they might be best supported and Situated for an Expedition against Crown point and the Stores to be unloaded and the Transports dismissed.

But on the Arrival of the French fleet, the Scene is changd and a Motion made for 8 or 1000 of our men to defend against an Invasion.

It will be needfull for you now to consider, what shall be done with our Stores, and how long you will subsist the forces here raisd for his Majties Service I had directed to give them a furlow till the 13th Instant, that they might subsist themselves, but on this Panick by ye french fleet by ye Advice before mentiond I Orderd them to be recalld.

I have wrote to Gov^{r} Shirley and M^{r} Warren for further Advices and hope for an Answer by y^{e} end of this Week or the next. if Providence should favour us with the Arrival of the English Fleet we may hope to be easd of some of our Difficulties.

A Difficulty has arisen by meanes of our Officers having detachd some men who had enlisted by Gov^{r} Shirleys Orders (thô without my Consent) which may prove a Damage to our Neighbouring Province. A proceed w^{ch} Gov^{r} Shirley has endeavourd to excuse.

And now I doubt not of your industrious Application to y^{e} great and arduous Affairs that will be before you

M^{r} Secry will read to you some of the Letters w^{ch} have occurrd since our last Meeting and the rest will ly before you

It has been a constant, exercising and Expensive Toil to [ ]

* * * * * * * * * *

JONATHAN LAW'S SPEECH TO THE GENERAL ASSEMBLY, MAY 1747.

Gentlemen of y^{e} Council & Representatives

Att the meeting of this Assembly on y^{e} 28th of Jan^{r} last althô you resolvd against y^{e} Expedition proposd against Crown point, yet I being enabled with y^{e} Advice of my Comt^{ee} to furnish the Kings Troops on y^{e} coming of any proper Orders, Gov^{r} Shirley on y^{e} 7th of ffeb^{r} urges very pressingly to have me sett forth our Troops imediately, his should not wait a Moment for ours on which I calld the Comt^{ee} together, who seeing no new Orders thôt it could not be done without an Assembly, but before that was concluded on Coll^{l} Roberts from New York, informd me of its being there determind against and gave me an Answer to Gov^{r} Shirley on the 20th of febuary. and having sent a Copy of our Act of Assembly to Gov^{r} Clinton, he on y^{e} 17th of feb^{r} sent me a Copy of their Resolve, grounded on y^{e} like Reasons with ours (as he observes) then Gov^{r} Shirley

by his of ye 14th of ffebr gives me an Acct of his countermanding his Orders

And on ye 20th of March I recd his of ye 4th giving me an Acct of his Misfortunes at Minas, with Complaints for my Neglect and strennously urging to send our new Levies to join in an Attempt against the ffrench Enemy in nova Scotia, with Advice to me to draw on ye Treasuries att Home. to which I gave him an Answer on ye 21st of March

And on ye 15th of April I recd a Letter of ye 13th from Govr Clinton proposing the sending our Troops to build Forts at the carrying place and as Capt Genl of Conecticutt to give Comns to our Officers. to which I gave an Answer on the 23d

On the 1st of this month I recd from Govr Shirley an Acct of an Attack made on ye Fort at No 4 with a Request for 500 men to be sent into Hampshire County, but remembering the Care of that matter was lodgd with the Comtee of Warr at Hartford, I forthwith went over to New haven and before I could reach the place his Honr the Dep: Govr Mr Pitkin &c were gone off

And on the 3d att night I recd a Paquett from Govr Clinton informing of the bad State of the new Levies att Surratoga &c and asking Assistance from hence and an Answer from me by his Express on his Return from Boston but I can only tell him That I can do nothing in that Affair without the Advice of the Assembly I have also another of ye 4th that ye Mutiny encreaseth.

Gentlemen you will see here are Matters of Importance which will require your uttmost Attention

I have also recd a Letter from our Agent on ye 3d of April Dated Octobr 26th 1746 together with a Copy of Mason's Petition pursuant to his Appeal from ye Decree of the Comrs att Norwich

I also recd a Copy of a Letter from him on ye 20th of febr 1746–7 dated 14th of July 1746 and I also sent him on the 20t of febr 1746–7 wherewith I inclosd to him an Address to his Majty with a Letter to the D of New Castle and an Order to receive our Reimbursements of which he had given

the greatest Encouragements together with an Acct of my having sent his Psallery to Boston of which I have a Rect from his Correspondents thô we are now not without fears of our failing of the Reimbursement

I have appointed Capt Burnham Capn of our Sloop and other Officers and orderd him eighty men inclusive of Officers and to Cruise from Montaug to Martha's Vineyard and in Case Rhoad island will joyn, to the West end of long Island, and have wrote to Govr Green, to order theirs to joyn them

I have also a Request of Coll[l] Huntingtons to lay before you whose Son is fallen into the hands of the Enemy

I would also represent to you That because it has been a time of great Expence to this Govt I have forborn complaining of ye meanness of your Allowance to me as your Govr yett when I consider, that I bear my Proportion with the rest of my brethren, and that not in the lowest Degree, I must say That by the best Computation I should I can make, the Allowance you have made of two hundred pounds silver money formarly was equal to a 1000[ll] now and that the business now is at least five times so much as it was then; my Expences 5 times as great and the number of the people 5 times as many. the arrears we have run into, bear no proportion with our Neighbours and the Rewards allowd yr Leaders for their Conduct more than ten times so much. however could I serve you without prejudice to my own family I could spend and be spent for you and doubt not of your reasonable Consideration. Your business engrosses my whole time and thôt and necessarily encreases my Expence

I have one thing further to putt you in mind of and that is the miserable State of our cōmon Currency, some further Provision of law seems necessary to prevent Counterfeiting Bills and Orders on the Treasury the Gentlemen of the Circuit can give a more full Acct of that Matter.

It looks likely to be a troublesome year you need to concert the best Measures for our Defence

JONATHAN LAW'S SPEECH TO THE GENERAL ASSEMBLY, OCTOBER 1747.

Gentlemen of ye Council & Representatives

I have had divers Motions made, for the Calling an Assembly since the Sessions in May last as you will perceive when you hear the papers read, but when I observd ye plentifull provision made in all Cases which did occurr and had any prospect of Advantage in them, I thôt it most prudent to avoid the trouble and expence of it and am well pleasd with this Opportunity to lay the State of your Affairs before you and be advisd by you upon them and all other Matters relating to his Majties Interest specially in ye Wellfare of this Colony.

And [ ] with respect to the State of of our Affairs att [?home our agent informs me that althô we had ye] good Opinion of ye Lds of ye Comtee of ye Council in favour of a Reimbursement of our Cape Breton Expences and his Majties Pleasure to referr ye Adjusting and liquidating our Accts to ye Lds of ye Board of Trade and Secry of Warr yet we have the Misfortune to want sufficient Vouchers (in their Opinion) and yr Report not being grateful to his Majty he had referrd it to ye Lds of the Treasury, with whom Mr Agent hopes the Sanction of ye Govt to prove ye Equitableness of ye Request, will be sufficient, yet thinks it advisable to furnish him with further Evidence if it can be had without too great trouble & Expence

And with respect to ye Canada Expedition

That understanding those Troops are or are to be discharged strongly attested Accts ℔ticularly specifying the time of their Service to the time of their Discharge under ye Sanction of the Genl Court, setting forth their being raised by their Order in pursuance of a Letter from the D. of New Castle signifying his Majties pleasure that they should be putt upon his Pay should be sent to him.

I did inform the D of New Castle of there being two Acts of Assembly on that Occasion and for that purpose, but did not send atested Copies of ye Acts, and had it been

otherwise, sufficient money was not raisd by ye Parliament to answer these charges.

And least I should forgett it I take this place to inform you That no Acct has yet been sent Home of the Charge of Cloathing and Arms which was declard to be his Majties pleasure should be repaid to us

On the 11th of March he sais Mason had not had a hearing and on the 28th of May is silent abt it.

Some of you may remember That I was directed with ye Advice of the Council to draw money out of the Treasury for the Redeeming Captives from Canada, three persons were sent to Boston in a flagg of Truce who belongd to this Colony on Notice wrof from Govr Shirley by Advice of the Council I signifyd That on his giving me Acct of ye amount of our part of ye Charge I would send it to him but thôt it might save trouble to Discount the money due to us for the Provisions we had supplyd his western Frontiers with at his desire and I have not heard any thing from him about it since and that whether we should bear any part of ye Charge for any other Prisoners, and the appointing an agent att Boston should leave to your Consideration

As to the other Articles proposed by the Govr of Canada Viz: The Discharging Prisoners without Ransome or number it was presumd you would readily comply with it and the Reimbursing ye Govr of Canada his Charge in redeeming Captives from ye Indians it was thôt would be reasonable

On Lords day last I recd a Letter from Govr Wentworth a Letter relating to the Kings Woods and the Officer he had appointed to take Care of that Affair and should be glad to know something of your Sentiments abt it I know its neither Silver nor Gold. And as to the person if any of you know any thing of his Deficiency should be glad to [ ]

I Recomend to You, Gentlemen Unanimity and Dispatch in all the Business of this Sessions.

J Law

JONATHAN LAW TO WILLIAM SHIRLEY.

MILFORD Novr 21th 1747

Sr

I did take it amiss when your Excellency did on the 4th of March 1746 by your Letter lay the blame of your Misfortunes at menis on me for not sending of the Kings Troops here to act in conjunction with yours for which I thôt you never made any Motion to me but on the contrary did on the eight of Novbr inform me you had sent 600 men for the Defence of Annapolis and putt that Province in a State of Safety for the future and that the ffrench fleet being gone off of the Coast you should closely attend to ye Expedition against Crown point and had accordingly sent Stores of Warr to Albany and had sent 1000 or 1200 of your Levies to your Western Frontiers and should make it up 1500 to joyn the Southern forces and those of this Colony who were well versd in this Kind of Warr and therefore urged earnestly that the whole thousand of our Troops might be sent and that you would not have a man taken off from yours, more than you had thôt needfull to send to Annapolis and by yours of the 17th of November you say your forces are all gone or going to Annapolis and on this Expedition and that as none of ours were designd for Annapolis it was expected they would all joyn in this Undertaking and that they should hold themselves in readiness imediately to march and had written to Coll Williams accordingly

And on ye 6th of Decembr That I would give effectual Orders That our whole forces may march without delay

And on the 24th of Janr you say If you shall conclude to joyn the whole of your Forces raisd for the Expedition against Canada in this attempt I must earnestly desire, not a moments time may be lost.

Sr I have made diligent Search into all the Letters I can find and see not ye least Hint of your ever desiring me to send any of the King's forces here to Annapolis before ye Misfortune happend and it would have been inconsistant with all the proposals made for the Attacking Crown point, in

Case you had moved for any of them to be sent to Annapolis. If you will look back on your own Letters you will see that I was not guilty of any Omission in that Affair which I had any Occasion to retrieve by a more chearfull sending men to Nova Scotia and am sorry you should runn into that Mistake again in your last Letter and the Cause of Ramsays Departure was the Destruction of y^e^ french Fleets

Whereas you propose to leave that Difficult point to me to decide, whether our Regiment were dismist from his Maj^ties^ Service about a year agone

I can only say That I have not observed any power of Substitution given (in the Extracts you sent me) to your self and M^r^ Knowls Yet I observe that if they were dischargd then that they could not be dischargd y^e^ 31^th^ of y^e^ last month and I remember You frequently declared them to be in the Kings pay since that time Viz on y^e^ 7^th^ of feb^r^ 1746 You and the Gentlemen of your Gov^t^ will do well to consider how his Maj^tie^ may resent it if this Design should miscarry for want of a thousand brave men in his pay who are att Home about their own private business and at divers other times since the pretended Discharge and I am and alwayes was of your Excellencies Opinion That I had no Authority to Com̄and them and only a Liberty to feed and provide for y^m^ which I took Care of as long as I thot needfull see your Letters of the 17^th^ of November 1746 w^r^in you say As to the Gov^ts^ forming or Undertaking an Expedition against Crown point they have no Com̄and of the Kings Forces but when those who have sett it on foot it must be the Interest of the Gov^ts^ to provide Subsistance as they do and have agreed to, and have the forces all idle and useless

And it has been the practical Understanding of this Gov^t^ That they had no Comand of the new Levies Nor Did they ever Intentionally, Litterally or Constructively Dismiss them out of his majesties Service and when ever you wanted Assistance for your Defence the Detachments have alwayes been taken out of the Militia & in the Gov^ts^ pay not being able to com̄and the Kings Troops save only on y^e^

Invasion threatened you by ye french fleet at wch time they were all ready to march at an hours warning with the one half of our whole militia accordingly you gave Orders to Coll[l] W to hold him self in readiness to march on the first Notice and desird me to make provision for them, but on ye 14th of febr you informd me You had countermanded your Orders and thôt proper to acquaint me with it least Inconveniencies might arise if ye State of that Affair was not understood and I hope your Excellencies will excuse me in not intermedleing in any thing where I have no right to transact

As to his Maties pay I readily confess my Ignorance of it but I never thôt That if they fed themselves or any body else did it that their wages should be diminishd for eating the Kings bread when they had it not and to what purpose you should in your Letter of ye 10th of October direct to send you an Account of the Charges of the Cloathing, Armes and Accoutrements and all other Expenses if you thôt as in your last Letter that all was to be defrayd by ye Colonies in ease of the Crown except Cloathing & Arms

I had ye first Orders about this Affair from his Majty signifyd by his Grace ye D and should have been easy with ye like Directions to ye end of it

Of what I was advisd by our Agent I gave you an Acct before but I shall pursue the Direction of our Assembly and accordingly send by Coll[l] Williams the Muster Rolls and Accts of our Disbursements

As for ye mañer of his Majties discharging his Troops I am not acquainted with it and beg leave to be excusd, yet if I knew the mañer it would be impossible to know the persons since you say four hundred are not to be dischargd and describe them only by number

I am Sr &c

J L

Govr Shirley

[Indorsed] Copy of a Letter to Govr Shirley Novbr 20 1747

ROGER WOLCOTT TO JOSIAH WILLARD.

WINDSOR Decr 19th 1747

Sr

yours of the 3d Instant Recd we had before the date of yours sent 50 men into hampshire County for the Defence of Deerfield and Northfield which I supose your assembly had not heard of otherwise they Would have taken other Care for the protection of stockbridge Nevertheless perceiving that place at present would not be defended by you we have ordered 15 men there hoping your assembly will soon make other provision for their defence Govr Clinton has desired 3 Companys from Connecticutt for the defence of Albany which His Honr our Govr has encouraged which makes the burden the Heavier on this Colony I am very much afected to hear the Town house in Boston is burnt and that the publick Records in your office are Consumed if so the loss is Ireparable I am

your very Humble servt

ROGER WOLCOTT

To JOSIAH WILLARD, Esqr

[Superscribed] To [ ]SIAH WILLARD Esqr In Boston

[Indorsed] Lettr from Govr Wolcott Dec. 19. 1747.

JONATHAN LAW'S SPEECH TO THE GENERAL ASSEMBLY, MAY 1748.

Gentlemen of the Council and Representatives

Had I a Talent to entertain you with elaborate Speeches I should think it more adventagious to lay before you the true State of our Affairs and to acquaint you with my administrations, in the Intervalls of this Assembly, and not knowing how to do it better than by reading to you the several Letters &c: which have come to my hands and gone from me since our last meeting in October, as has been my usual Course and the manēr of my Predecessors. I shall therefore hint to you the most material things.

And in the first place sett before you what relates to our Affairs att home. My last Letter from our Agent was dated on the 18th of November last, wherein he sais, The Lds of the Treasury, to whom by an Act of the King in Council, the adjusting and liquidating our Accts of the Cape Breton Expences was comitted, had not then settled the Exchange and a more ꝑticular account of fifty odd thousand pounds for garisoning Louisburg was wanted.

Govr Shirley informd me That by a Letter from Mr Bollen of the 10th of December he was advisd, That on the 4th the Parliament granted 8000ll for defraying the Charge of the New Englanders against Cape Breton and Canada, and doubts not, of my having the like acct from our Agent in a short time, but I have not as yet receivd any

As to the Canada Expedition he has preferrd a Petition to his Majty for the Souldiers Wages and Comissions, but as for our Expences, no Motion had then been made, nor since excepting for Cloathing and Arms, neither can be till we can give Creditt for what returns into our hands from our Comissaries, who are orderd to sell our Slopps. And with respect to Mason's Affair he sais nothing since he sent Copy of Mason's Petition.

With respect to what has passd between Govr Shirley and me

It has been conversant, either about the adjusting and liquidating the Acct of Expences on the proposed Expedition against Canada, which you will see, turnd out to nothing at all, save only a little increase of our charge.

Or about carrying on the warr. The maner whereof the Comrs from hence and Massathusetts at N York with those of N York agreed and settled, altho fully agreed to here (of which timely Notice was given by me) was dissented to by the Massathusetts without such Amendments, as the new assembly att New York by their Vote declared would defeat the whole

Or lastly about a Method for calling in and putting a Period to all the New England Bills (now of little Creditt) by borrowing Silver in England, on Interest to give in Ex-

change for them to be repaid by Imposts on Goods and Taxes, which I feard would fall heavy on this Govt, thô they thôt very salutary for theirs.

by which meanes all the Measures you had projected for rendering us less dependant on them, would be disconcerted, and we obligd to pay a considerable part of the money, they borrow, by Impost on Goods passing thrô their hands to us, and we left to make our own as we can, by which meanes we should be continued their humble Servants. to which I could by no meanes consent, without the most deliberate Consideration of this Assembly; nor enter into any measures inducing thereunto: nothing doubting of our Ability to sink our own Bills, when advantaged by a Reimbursement of our Cape Breton and Canada Expences. of which they were confident, and I hope for. with which, if we should be favourd we cant want any thing but a good Disposition to putt an end to so many of our outstanding Bills, as to maintain and recover the Creditt of the Remainder of them

And I cant but think, that the appointment of a Comtee to Consume such a Quantity of our Bills, that shall by any wayes or meanes, as you have or shall appoint, be brôt into our Treasury, as having done the business for which you made them, [ ]y be effectual as you may see is the mañer of N. York, by an Act of theirs for their last Emission, who are Exemplary in maintaining the Creditt of their Bills. And I shall readily concurr with you, in any further Measures, the least burthensome to our people, for sinking the Colony Debt. Good Husbands dont love to ly in debt, longer than is needfull.

In the next place with respect to N. York

On a Motion of Govr Clinton's, for three Companies or more, on their pay and subsistance, to guard their Northern Frontiers. Accounting them a Barrier to us, and remembering our other Neighbours ask the like assistance at our Cost entirely, I did consent and encourage the Motion, and accordingly three Companies are gone forth, for the Protection of N. York Frontiers till August next. And indeed We

have had 65 men in the Massathusett Frontiers for a considerable time and two hundred more for the whole Sum̄er at our Charge have been solicited for.

And lastly what has Reference to Rhoadisland.

One [ ] made [ ] by some of Rhoadisland for a Letter of Marque and Reprizal

Thinking my self obligd by Orders from Home to grant it I gave a Com̄ission but soon after being strongly solicited by the Gov^r of Rhoadisland and a Remonstrance from a number of Gentlemen there, to make out a Super-sedeas, having Opportunity to advise with his Hon^r the Dep: Gov^r and divers of the Council, I rejected the Motion.

And being strongly urg'd by divers Gentlemen of the Council and others to lett out our Colony Sloop to be improved as a Privateer, for the Benefitt of private men, I thôt your Directions would not bear me out in it, and if advantage could be gain'd by her Improvement as a Vessell of Warr I could not be faithfull to you, if I should transferr that Opportunity from the publick to private men, expecting it would be esteemd as an Act of the Gov^t, if done by Advice of the Council. Whereupon by Advice of my Com^tee I have ordered her out on a Cruise as heretofore was usual with eighty men including officers. Since which on Motions made to me for Letters of Marque I have granted Com^ns to Captain King and Cap^t Hollibert.

Gentlemen

If your Patience will endure the hearing of the Multiplicity of business that has passt thrô my hands since your last Sessions, I think you cant but be sensible, that the business of the Gov^t has been very extraodinary.

M^r Secry shall read to you the several Acc^ts which have occurrd As also a Letter from the D of Bedford acquainting us that we are com̄itted to his Care and directing to apply to him with encouragement of his special favour, inclosing also the Kings Proclamation against trading with the French Dated feb^r 26^th^ rec^d May 6^th^

Gentlemen

I have not the Vanity to think some others might not have managed your Affairs to better Advantage, but am

firmly persuaded, none could be more faithfull to the publick Interest

I recom̄end to you Unanimity and Dispatch in all the Affairs which may fall under y[ ] Consideration in this Session

[Indorsed] Speech

SPENCER PHIPS TO ROGER WOLCOTT.

Boston, July 18. 1748

Sir,

Yesterday came an express from the County of Hampshire giving a most melancholy acco^{t} of their circumstances on the west side of Connecticut river & the forts & Garrisons on their borders, & this is the Case also on the East side of Connecticot river all along the borders to Merrimack river, & mischief is continually doing all along the Eastern Country It is very provoking to see the french & Indians insulting & daring us in this manner, they keep & as it were dwell within a few miles of our Towns & feast themselves on Our Cattle which they kill almost every day so near that the people hear their Guns.

These things are so particularly mentioned, that you may see the necessity of your sending a sufficient number of men to scour the woods & repell the Enemy on the West side of Connecticot river at lest; unless you do this Connecticot in their Western parts will be a frontier at once, for all the little small places will draw in without all doubt immediately there are such numbers of the Enemy on the borders that five or six hundred men seem necessary to be sent up from you forthwith, orders are given for sending a good number to drive away the Enemy between the rivers of Connecticot & Merrimack, which together with Our large Eastern frontier is more than our proportion & beyond our ability to protect

There have sometimes been complaints, that your officers have not taken that notice of the desires & directions of those who have the chief military command in the County

of Hampshire you cannot be insensible, that if things be not done in concert & according to the desire of those who live there & have the Chief military power & best know confusion and disappointment must follow; and you are earnestly desired to give your directions to the officers or principal officer accordingly.

It is absolutely necessary that your Honour should be very speedy in sending these forces & with them send such provisions as they shall need, for the County of Hampshire, cannot supply what they will want as they have not enough for themselves

I am with great Respect Sir
Your Honours most Obedient
humble Servt
S. PHIPS

To the Honourable Roger Wolcot Esqr
[Indorsed] Lieut Governrs Letter to Lt Governr Wolcot
July 18: 1748

ISRAEL WILLIAMS TO ROGER WOLCOTT.

Hatfd Augt 20th 1748

Sr

I wrote you Sometime Since, but have not been favourd with any Answer. I am Inform'd by Majr Williams of Stockbridge That your Council of War had Call'd their men home that were posted at the Westward; and that tho' he had applied to one of your Lieuts for Some of his Men to guard ye Stores yet was refusd any Assistance, and therefore was necessitated to go Forward with only the Soldiers Capt. Williams had Spar'd from Fort Massachusetts. What is become of the Guard or Provisions I have not heard, wish they may arrive Safe, but am much Concern'd for Capt Williams writes me, the Enemy are about them, and within these few nights the Watch Shot at one within Six rods of ye fort.

The reason of your withdrawing your Men at this Critical Juncture, is beyond me to account for. It cant be because those Places where they were posted are not exposed,

or that they were not Specially needed at this time for the purpose I mention'd in my last; nor because those places were not a Cover to your Infant Plantations, and you did not receive benefit by them where they were posted as much as we, nor because the Enemy were all return'd home and design'd to do us no further mischief.

Those People have a Just right to Protection from us as well as others and Expect it. This Govt Supposed you woud willingly help them, and Indeed do Considerable for to defend our People and Frontiers, Especially when in doing it you protected your own People at about half the Charge, your Govt must otherwise be at. And when our last Assembly were Inform'd, you had sent the Forces to Stockbridge and other Places adjacent, that were Judg'd necessary for their Protection, they rested Satisfied as to that, and Supposed the People woud be also.

Now by withdrawing your forces from those Places without giving us any Notice, is an Exposing of those People to a barbarous Enenemy, and necessitating them, for some time, of great danger, to be without Protection. for it will not be possible Suddenly to obtain help and relief for them, by our own people.

I dont know but Some amongst you may be Scar'd at the Charge of ye War. I know its great and lies very heavy upon us. But Skin for Skin and all that a man hath will he give for his life. This is our main Concern at Present to Save our Peoples lives; and to be denied help and releif from our Neighbours at this day is extreem hard.

Therefore in Compassion to those People I hope you will Countermand your Orders, if the forces are not already March'd and got to their respective homes or if they be, That you woud order others to Supply their places. In Confidence Sr That you and the other Gentn of your Council, will think what I propose is reasonable

I remain your very Hume Sert

ISR WILLIAMS

Govr Wolcott.

Copy

[Indorsed] Letr to Govr Wolcot Augt 20th 1748

JOSIAH WILLARD TO ROGER WOLCOTT.

Boston August 27. 1748

Sir,

I find in the Secretarys Office a Letter you were pleased to write to the Lieut. Governr of this Province in Answer to one he sent you in my Absence to desire some Succours from your Colony at a time when we were much harrassed by the Enemy, which I perceive is the Case still. In that Letter you were pleased to excuse your self & the Council of War from giving us the Assistance desired, & for this Reson That his Majesty had commanded a Suspension of Arms; At wch I am much surprized, seeing we do not ask aid of you for carrying the War into the Enemys Countrey, but to save our Inhabitants from being butchered by them while they are at Home; And this Self Defence his Majesty never did & it may be taken for granted he never will forbid during the most profound Peace. I am sorry to understand by Major Williams that instead of sending more Recruits in this time of Danger you have called off what you had on our Frontier before; If it be so I must intreat you to send them back or other Men in their room

I am
Sir

The honble Roger Wolcot Esqr

JONATHAN LAW'S SPEECH TO THE GENERAL ASSEMBLY, OCTOBER 1748.

Gentlemen of the Council & Representatives

A pacifick Disposition seems to have run thrô the Veins of the Potentates and great ones of the earth, So that the great blessing of Peace appears likely to follow the Desolating Judgment of Warr, tho Some of the Terms may not be so Agreable to New England, Yet Some Say, an Unjust peace is better than a Just Warr.

Let us be Thankfull and Acquiesse in the Disposals of an allwise Providence which governs the world.

May we not from the General Disposition of mankind be encouraged with an Expectation of a peaceable Inclination among our Selves, and I Cant but flatter my Self that you will aim at it, and Sincerely Study to promote it.

Yet I cant with a good Conscience omitt putting you in mind of a Dangerous Opinion (as I take it) we have lately Entertaind which if Continued in I fear will Expose us to the loss of all our privilidges, dear, I hope to us all.

viz That there is no Govr or Dep: Govr Chosen without a Majority, of all the Voters, but if this proposition be true viz That the Election of all the Charter officers is granted only to the Governour and Company, which Company are the Freemen; Then this opinion will appear very Dangerous, and this principle is Evident both from the nature of the grant and the Words of the Charter.

From the nature of the thing granted, which is a priviledge to Choose their own Officers, which had it been granted unto others to do it for them, in Case of their Refusal or neglect, would be to enforce a priviledge on them against their wills, which would be inconsistant with the very nature of the grant, which would be a burthen instead of a Priviledge, never granted nor desired

And as to the words in the Charter There is not a word in it that enables any other to make the Election only in case of a Vacancy by death or Censure, Then the Assembly are enabled to putt others in their room.

And indeed if Governour & Dep: Governour Should both dye before the Vacancy made by the death of one of them Could be filld up, There is this Maxim in the English in Your Favour. viz that the act of god Shall prejudice no man.

But I know of no Rule in law or Reason in Favour of them to whom priviledges are granted who will not or do not make use of them.

And what a hardship would it be on the body of our freemen to have their priviledges taken from them for not using them, when they have done all they were directed and enabled to do; yet this would be the natural and legal Consequence thereof.

I have not found it any where Said in the Charter that those officers Shall be chosen by the greater number of Votes, but by Such greater part of the Company as before described to Constitute an assembly of the Company for an Election, whereof must be the Governour or in his absence the Dep: Governour and Six Assistants. however Such a Construction ought to be putt on every grant as will [ ] it Safe and Secure, as the Rule in the Common law is, ut res magis Valeat quam perreat, that the grant may rather avail than perish.

And indeed when we Consider the Distant Situation of the Freemen one from another and the numbers of them (which are Yearly encreasing) it appears morally impracticable for them to meet in one place, So it was Wisely order'd that they might give in their votes at home and Send them to the place of Election which cant be repeated in Case no one Candidate Should not have more votes than all the Rest

So that to put Such a Construction on the Election, as to make it ineffectual unless one Candidate for the office Shall have more Votes than all the rest is to make our Elections always very precarious and uncertain and leave us without Gov^{r} & Dep: Gov^{r} or either of them.

This was not the Understanding of this Government 'till very lately, nor of Neighbouring Governments under like Circumstances, but they who have the most Votes were deem'd to be elected.

Which leaves the matter at no uncertainty, but when there Should happen to be an Equi Vote which must be Reduc'd to a Certainty by the Double Vote of the Moderator, and this may lead you to Consider what was Omitted the last may (if any thing proper to have been was omitted) and the burthen which has layn wholly upon me and the want of Some help and Relief my present Weakness may excuse me unto.*

* In the preceding May there had been no election of a Deputy Governor because, as this document indicates, no candidate had received a majority of the votes cast for that official. The Assembly tried in vain to elect such an official; but were unable to agree upon a method of election. "The Lower House resolved

I hope you will not think my personal Interest can be any great Temptation to me to be of this opinion Since my Glass is So near runn out.

I cant think that any wiseman would be strenuously engaged for putting or Continueing any thing which they verily believ'd would be for the publick Good in case they were Satisfied the publick for whose Good they intended it Could not see nor believe it would be So; Thô it would Really be So.

LIST OF CONNECTICUT VESSELS.

Hartford	David Williams Mast^{r} Sloope Mary	60 Tons
Greenwich	Sloope Sarah & Abigail Henry James	30
Gilford	Sloope Mary	12
N: Lond^{o}	Brig^{e} London	60
Norwich	Sloope Olive Branch	25
Milford	Sloope Tryal	40
N. Haven	Scooner Eliz^{a} & Mary	50
Sea-Brook	Sloope Lucy	35
Killingsworth	Sloope Succes	10
Norwich	Sloope Mary	20
Hartford	Sloope Rebecca	40
N. Haven	Sloope Humbard	20
Norwich	D^{o} Martha & Eliz^{a}	40
Hadam	D^{o} Ranger	30
N. Lond^{o}	Brig^{e} Dolphin	80
Guilford	Sloope Tryale	20
Midletown	Sloope Larke	45
Norwich	D^{o} Success	40

that application be made to his Honor the Governor for the assembling of both houses together in order to an election. This was dissented to in the Upper House, which insisted that the election should be by concurrence, and that house elected Roger Wolcott Deputy Governor. As the two houses could not agree upon the mode of election by the Assembly, the Upper House passed a bill for a special election to be held by the freemen on the third Tuesday of June then next, with which the Lower House non-concurred. In October, the resolve to proceed to the choice of a Deputy Governor as an Assembly originated in the Lower House, and the election was first made there." Roger Wolcott was elected. *Colonial Records* IX. 385.

Hartford	Do	Hampshere	18	
N. Londo	Do	Lydia & Mary	25	
Brandford	Do	Dolphin	33	
N. Haven	Do	Many* & Mary	30	
Hartford	Do	Tryale	35	
N. Haven	Scooner	Tryale	30	
Milford	Sloope	Swallow	30	
Norwalk	Do	Tryale	25	
Guilford	Do	Swan	25	
Midletown	Brige	Allen	60	
Guilford	Sloope	Rubie	30	
Killingsworth	Do	Tryale	20	
N. Haven	Do	Tryale	35	
Wethersfield	Do	Thankfull & Ann	18	
Greenwich	Do	Eliza	30	
Stratford	Do	Endeavour	30	
Fairfield	Do		20	
N. Londo	Do	Dolphin	15	
Stratford	Do	Endeavour	30	
N. Londo	Do	Michael	12	
Lyme	Do	3 brothers	30	
Stratford	Do	Dolphin	12	
Say-Brook	Do	Booth (?)	25	
Do	Do	Joseph & Mary	30	1298

42 Sail of Vessells wh Stand in the Same order they Doe in the Register book.

Hartford	Sloope	Mary	30 Tons
Do	one Sloope at N London loding for Bristoll		60

[Indorsed] acct of Shiping in ye Coloney as it Stand enterd in the Records of ye Colector &c
one More Registed hartford 30 tuns
1 more tho Now gon for New london to load for bristol about 90

*Evidently a slip of the pen. Possibly the word should be Nancy.

QUESTIONS FOR ATTORNEYS CONCERNING BOUNDARY.*

A State of the Case of The Towns of Woodstock Suffield Infield and Summers moveing to be returned into the Colony of Connecticut out of which They were Taken and put under the Government of the massachusets and as the Inhabitants of the Said Towns alledge without Right as by their Memorial Now Lying before the Generall assembly of the Colony of Connecticut may Appear.

King Charles the first by Royal Charter or Letters pattent In the thirteenth year of his Reign Granted to the Colony of the Massachusets their Lands Bounding them as in their Royall Charter.

By the Appointment of the then Governour and Company of the Massachusets bay Colony the South line of that Colony was Surveyed and Stated as they Supposed by Certain Surveyors Viz: woodward and Saffery which line took its Commencement from a certain Station Fixed by the Surveyors and was Carried on to A Certain Station on Connecticut River known by the name of Bissels House which line for many years was Reputed by the Massachusets to be the Dividing line between that Government and the Governments of Connecticut.

N: B. This line Run South of the Towns of Woodstock &c

1662 The Colony of Connecticut Obtained of King Charles the Second by letters Pattents a Grant of the Government of Connecticut and of the lands therein Bounding on the North with the south line of the Massachusetts Plantation some years after which They drew the Said line into Question where it Touched on the Colony of Connecticut as to the right Runing thereof by means whereof Controversyes Arose &c And in Consequence of Such Reputed line the Massachusets Government setled woodstock Suffield &c and Granted Diverse Tracts of land to severall Gentlemen north off but near Said line.

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*Another copy in the Connecticut Archives, differing slightly in wording from this one, is dated Norwalk November 1748, which is probably the date of the drafting of the document.

1713 The Governments of the Massachusets and Connecticut Appointed Commissioners to settle the Differences Subsisting and to Run and fix the line betwixt the Two Governments.

1713 July 13th The Comissioners Concluded and Executed Articles of Agreement Respecting sd Differrences and the line Betwixt the Said Governmts wherein Among Other things they Agreed and Concluded

First that the Dividing line betwixt the Two Governmen[ ] Should take its Commencement from the Ancient Station fixed by the Said woodward and saffery and that a west line from thence should be Run According to the royal Charter of the Late Colony of the Massachusets Bay which line so far as there were Any settlements was to be Run adjusted and Determined by persons Appoin[ ] or to be Appointed by Each Government within twelve Months from that time and afterwards to be Further Continued to the Full Extent as the Government Should Direct.

2dly That the Towns of Woodstock Setled by the Massachusts and The Town of Symsbery setled by Connecticut should Remain Entire to the Respective Governments by which they were setled both as to Property and Jurisdiction.

N: B: The New Line Run north of Woodstock and Considerab[ ] North of the North Bounds of Symsbery so that they both Fell in Connecticut therefore one Could not be Exchanged for the Other as seemed to be Intended in the Agreement

3dly They Agreed Respecting the settlement of Bounds Between Symsbery and Suffield &c note Suffield as well as Symsbery lyes south of the west line Agreed Upon for the divideing Line Between the Governmts

4ly That the Towns of Enfield Granted by the Massachusets should Entirely Remain under the Jurisdiction of that Government According to their Grant the Southern Bounds of which are Described as well as Other Bounds of Suffield and Windsor &c.

5ly That the severall Tracts of land Formally Granted and laid out to Particular Persons therein Named which lay near too or Bordering upon the line Granted by Ether Governt should be held by the Respective Grantees According to the Priority of their Grants althoe by the New Runing of the line such lands should Appear not to lye In the Jurisdictn of the Governments by which Granted.

6thly That For as Much as the Chalenges of many persons Could not be then Determined they Agreed that the Governours of the Massachusets and Connecticut with the Said Commisnrs or Others to be Appointed in their Room should Receive hear and Determine the Challenges of Particular Persons and to Determine the Equivalents that should be made, but no Claim to be Received after twelve Months without the Special Allowance of the Respective Governments and that Equivalents Should be made for lands Granted by one Government and Held under such Grant in the Other Government &c

1713 Octbr 8th The Genll Assembly of the Colony of Connecticut aproved And Rattefied Said Agreement and About the Same Time the Genll Assembly of the Massachusets did ye like

1713 Decr 8th At A meeting of the said Governours and Comissnrs Equivalents were Agreed upon for severall grants to particular persons and for the Towns of Woodstock Enfield and part of Springfield all Granted by the Massachusets and Fell within Connecticut which Equiv[ ] as to the property of the land only the Massachusets made to Connecticut out of the then Ungranted Land of the Masschuts the Jurisdiction of which Remaned in that Government The Number of Acres Allowed to Connecticut for Equivalts as aforesaid was seventy nine Thousand seven Hundred and Eighty five. This was the Equivalent on the East side of Connecticut River. And what should be Found on the west side of Connecticut River in the Massachusets possession south of the line was to be allowed for in the Next session of the Commissioners after the further Runing the line

They Further Determined that as it Appeared by the late Runing of the line by the Rideing Commiss^{rs} as they were Called tho't it Took off part of Springfield and part of Westfield Both which parts fell to the Southward of the line Betwixt the Two Governments those parts so Cut off should Remain to the Respective Towns of Springfield and Westfield both in the Goverm^{t} of the Massachusets the Intersection of y^{e} line Notwithstanding: N B: The Greatest part of the Land Allowed for an Equivalent Fell in the province of New hampshire there being About the Quantity off particular persons Grants in the Massachusets so that no Equivalent was Allowed for the Towns of Woodstock &c

N: B: Also it Doth not Appear that Anything Further was Done in settling or alowing Equivalent on the West side of Connecticut River for the Towns of Suffield and part of the towns of Springfield and Westfield which Fell to the southward of the Government line nor do we find Any Confirmation of what was Done Decemb^{r} 28th 1713 by Either of the Governments nor any Royall Confermation of the Above Proceedings or any of them. Yet the people of these Towns have since said Agreement acted in Conformity thereto and been Under the Government of the Massachusets but of late Years they the said Inhabitants of the Towns of Woodstock Suffield Infield and Summers all of which lye to the Southward of the line setled as aforesaid Growing Un Easy under the Jurisdiction of the Massachusets have Moved to be Rec'd Into and Under the Jurisdiction of Connecticut where they say they do properly belong and from which they were Cut off by the Agreement afores^{d} and as they say Contrary to their Just Rights and priveledges and as that Motion is Now depending These Questions Among Others Arise Viz:

Ques^{tn} 1st Whether the Two Governments when they Had Found and setled the Dividing line betwixt them by which it Appeared how far Each Governments Jurisdiction by the Royall Charter Extended Could by any Agreem^{t} so alter That Jurisdiction as for Connecticut to Grant to the Massachusets the Jurisdiction of those lands and people that

Belonged to Connecticut and so Vice Versa without The Royall assent or Confirmation and that with out Such peoples Consent

Quest^n 2^d Whether Since the Agreem^t aforesaid was Never perfected as to the Allowing Equivalents for Suffield &c on the west Side of Connecticut River the said Agreement Can in any part off it be look't upon Valid Especially Respecting Jurisdiction &c.

Quest^n 3^d Whether the Massachusets Can have any legall or Equitable Claim to the Jurisdiction Over those Towns since Connec[ ] Never had any Equivalency or pretended to Have any for the Jurisdiction but only for the soil.

Quest^n 4^th Since the said Agreement seems to be made on a Supposition that the Runing the line might Cut off some Grants and settlements made by Connecticut into the Massachusets as well as on the Contrary, which Supposition Appears to be in fact False, Whether the Agreem^t is not therefore Void in as much as Connecticut have Rec^d Nothing for the Jurisdiction they Gave away

Ques^rn 5^th All these things & Matters Considered whether the Inhabitants of these towns with their lands do not properly Belong to the Government of Connecticut And if so held shall they be Restored to their Rights And priviledges there or Whether Connecticut may and Ought to Receieve and Own them and protect them & Govern them or what is proper and Legall for Connecticut to do therein supposeing the Massachusets to Refuse to Comply with the Motion made by the Inhabitants of said Towns &c.

A solution of these Queries or A Resolution Respecting The state of the Case aforesaid and of the Rights and Priveledges of said Towns and Directions For The Colony of Connecticuts Conduct In the Premises is Desired Candidly to be Given by some learned Councel before Whom these matters shall be Laid

NEW YORK ATTORNEYS' OPINION.

We have perused the State of the preceeding Case, and give this general Answer to all the Questions, Viz^{t}. That notwithstanding that the Government of the Colony of Connecticut seems to have been overreached in the Agreement in the Year 1713, Yet as to the property of the Soil, so far as it was ratified and approved of by the Assemblies of both Colonies in October within that Year We conceive both parties must be bound by it; because we take it for granted that the Legislature of both Colonies by their respective Charters had the full power to dispose of the property of the Soil and where they have executed their respective powers bona fide, without Fraud, Surprize, Suppression of Truth, or Suggestion of Falshood, it seems to us highly reasonable and equitable that the Agreement should have its full Effect; especially where Grants have been made to private persons, and possession taken, and perhaps the Lands considerably improved in dependance upon that Agreement. But then we think that the Colony of Connecticut should insist upon the equivalents agreed on And untill those are stated and determinately fixed and Seizin delivered so that the Colony of Connecticut or their Grantees may enter upon those equivalent Lands the Cession or yielding of the Lands within the Connecticut Charter is not so compleat, but that the Connecticut Colony may hold their ancient right within their own Limits, as a Security for the performance of the equivalent agreed to be Ceded or yielded on the part of the Massachusets Bay. And the rather ought the Colony of Connecticut to insist upon this Right because they have no Jurisdiction over the Massachusets Bay Colony to compell the Execution of the Agreement in the ordinary Course of Law.

But the principal Part of the Question seems to be, Whether Connecticut can legally Cede or Yield the Jurisdiction granted within certain Limits within their Charter, so as thereby To shift the Limits of Government without the Interposition and Consent of the Crown? We answer

that We conceive it cannot be done without the Consent of the Crown. It seems clear that the Massachusets Bay Colony cannot Cede Jurisdiction within their Limits to the Colony of Connecticut, for if it could grant Jurisdiction in a part it might do the like in the whole, and thereby shift the Lands within their Limits from under the Government appointed by their Charter, and place their Colony under the Government of Connecticut and so vice Versa We think each Colony may resign or Surrender their Charter to the Crown and accept of a new Constitution of Government; But we conceive they can do nothing by Agreement between themselves to alter the Government setled by their Charters within their respective Limits. Government and Jurisdiction have so intimate and Close a Connection with, and dependance upon the regal Power that nothing can be done in this point without the Royal Assent. Therefore those Towns that clearly lie to the Southward of the Division Line and within Connecticut must remain under the Jurisdiction of that Colony, However the property of the Lands by Agreement may be disposed of. For we conceive no Change can be made in the Article of Government or Jurisdiction within their respective Limits without Acts of both Colonies confirmed by his Majesty. We confess our Sentiments are now given with too little Allowance of time for an Opinion on so important a point of Law which lies so much out of the Common Road, yet our present Thoughts seem to Us to be clear in this point.

Wᴹ Smith
Ny 13 April 1749.
N. Y. 13th Aprill 1749; Richd Nicholls
R: Bradley.
Attorny Genl of New York

[Indorsed] The opinion of Smith Bradley and Nichols
Case of the Towns of Woodstock &c stated &c By Messrs
Bradly
Smith } of New York 1749
Nichols

JONATHAN LAW'S SPEECH TO THE GENERAL ASSEMBLY, MAY, 1749.

Gentlemen of the Council and Representatives,

By the Late Accounts, (on the first of December,) from our Agent, which I have laid before you, you will See what y^e^ Difficulties are that lye in y^e^ Way of Receiving the money granted us by Parliament for y^e^ Reimbursment of Cape Breton Expences: (viz.) Our Agents not being legally authorizd to receive it for us: And that they may See what Stepps we Will Take to retreive y^e^ Mischiefs which have happend by means of our Depreciating Bills of Credit

And with respect to y^e^ first, that our Agent Should want a Special power of attorney under the Seal of the Goverment, to receive the money, could not at all be Suspected, When the Agents appointed only by Votes of Assembly have always been accepted to represent and act for us on all Occasions & perticulerly in recovering our Money for Disbursements in the Late West India Expedition, but Since its Determined by y^e^ opinions of M^r^ Attorney Gen^l^ & Solicitor, to be necessary by the Strict rules of Law its now therefore our business to Supply that Defect, and Every one may be Satisfyd that y^e^ Calling of assemblies to Supply a Remedy, before y^e^ Knowledge of the Disease, would be disagreable to a wise Phicesian and would have served us in nothing further than Encreasing our Expences, Since neither we nor our Neighbours Did at all Suspect it, (Rhoad-island only excepted.) And as to y^e^ Other Difficulty about our Depreciating Currency mentioned in the Marchants Petition, Your Vote of October last signifying your Intention to improve the Money for calling in and Discharging our Out Standing Bills So farr as it would go which was not arrived at M^r^ Agents hands when he wrote on the first of December, may be well Lookd upon att Home, yet if you would Enter into Measures for putting those Good Intentions into execution by appointing a Com^tee^ under y^e^ Solemnity of an Oath to receive & Destroy all the Bills which Shall be brought into our Treasury by means of a Reimbursment of Cape Breton & intended Canada Expedition

Expenses, It would Sett us in a better light & be freer from Exception, than only a Good intention, which may be Suspected will never be putt in Execution. And in Case you Should order bills of Exchange to be Sold for our Bills, to be brought into y^e^ Treasury & Restrict the purchasing these Bills of Exchange to our own people (as the Massachusetts did y^e^ Drawing the Silver) and order Sufficient bonds to be given (with proper Exceptions) for making Returns of the effects from Europe to this Colony It might lay a good foundation for Trade in our own Government, and why Should we lose Such an advantage which has cost us so dear, by y^e^ loss of so many brave men and the expence of so much Treasure without one penny advantage for which we are in debt, & we See that by our Neighbours on whom we are apt to Depend (whose interest & ours are not in every thing the Same) have Sett our Canada affairs in y^e^ Most Disadvantagious light, though I would hope that by y^e^ Copies of Letters which have passed betwen me & them (with which I have furnished our Agent) the truth will come to light As Esq^r^ Palmer intimates that if he can render Such representations ineffectual it will Give him great pleasure So I Shall think it a great piece of Justice to our Regiment.

But now you See by y^e^ Last letter of the 4^th^ of March that an intire Stopp is putt to that affair by M^r^ Shirleys not Sending his Reasons Why very Great abatements Should be made on y^e^ Demands of y^e^ Canada Regiment? And Why he did not do it Sooner we may Guess: As also the Danger you are in by y^e^ Bill prepared for an Act of parliament and we have reason to think your vote of October was not putt into my Paquett as I Directed M^r^ Secry & hinted to our Agent, No Mention being made of his Receiving it. As to the other affairs of this Assembly particularly that of revising the Laws. If the Com^tee^ whom you have improvd to be assistant to Coll^l^ Fetch Shall Declare to you that by y^e^ Strict Observation & comparing them with the Laws of the Goverment no Material Variation is made in them, Ecepting only in the Ecclesiastick laws, the Law concerning Intestate Estates & Some other Laws wherin an Essential Variation

is made which they will point out to you, without the burthen of hearing ye whole body of Laws read over, you will consider, approve & establish as ye Wisdom of this Assembly (by Divine assistance) shall Direct. This I believe with ye Usual Business of this Assembly about Prayers, Memorials & petitions will be work enough. Which I hope & earnestly intreat may be past through with Unanamity & all convenient Dispatch.

J Law

[Indorsed by Law] Speech May 1749

MARQUIS DE LA ENSENADA TO THE GOVERNOR AND OFFICIALS OF MARACAYBO.

Haviendose convenido ultimamente entre esta Corte y la de Londres, que el ultimo Dia de las Hostilidades en España, mas acá de la Linea, aunque sea en Mares de America, se entienda fué el nueve de Agosto del año proximo passado de 1748, en que se cumplieron las seis Semanas, contadas desde el de la Accesion del Rey à los Preliminares de Acquisgran, que fué el veinte y ocho de Junio del mismo Año; Me ha mandado S. M. lo prevenga à V. S. y à vms, à fin de que en este concepto dispongan se restituyan à los Yngleses todas las Presas, que de las que se les han hecho por Navios de Su Real Amada, ò por Corsarios nuestros despues del citado Dia nueve de Agosto, mas áca de le Linea, huvieren sido conducidos à Puertos de essa Gobernacion; En inteligencia de que la Restitucion de los Bageles apresados se há de hacér contodos sus Pertrechos y Carga integramte, y en caso de que el todo, ò parte de ella y demás de que constó la Presa, no exista, por haverse Vendido, ò repartido, el Justo Valor de lo que no esté en sér.

Deben los Yngleses restituir reciprocamte y en iguales terminos, las Presas que nos hayan hecho, segun la propria genuina inteligencia; de que advierto à V. S. y à vms para que de'n Noticia de las que supieren hay de esta Clase, à fin de que se reclamen, caso que de si, y sin necessidad de este Oficio no lo practiguen.

Participo à V. S. y à Vms lo referido para su Cumplimiento; estando en la inteligencia de que se dá circularmte

igual Orden à los demás Gobernadores y Oficiales Reales de Yndias.

Assi mismo participo à V. S. y à V$\overline{ms}$, que conforme à esta Convencion ha resuelto el Rey, que se restituyan à los Yngleses contodos sus Pertrechos y Carga integram^{te}. Los Navios nombrados La Prosperidad y la Sally apresados sobre las Costas de la Virginia en la America Septentrional, el uno el dia tres, y el otro el dia siete de Septiembre, que el Ministro de Londres en esta Corte ha reclamado, à fin de que si huvieren sido conducidos à este Puerto, y dado el caso de que estas Presas hayan sido hechas efectivam^{te} despues del dia mencionado Neuve de Agosto, dispongan V. S. y v$\overline{ms}$ la Restitucion de ellas, baxo el Supuesto de que es el animo de S. M., que en caso de que se hayan vendido estos Bageles, sus Pertrechos y carga, ò repartidose esta ò su Valor, como el del casco y demás de que constó la Presa, se restituya todo, sin dár lugár à nueva Instancia de parte de los interesados, ni à que se repita recurso por la Corte de Ynglaterra, pues de ello serán V. S. y v$\overline{ms}$ responsables; y me darán noticia del Recivo de esta Orden, y de lo que en observancia de todo lo referido se executasse, para pasarlo à la de S. M. Dios Gu^{e} à V. S. y v$\overline{ms}$ m^{s} a^{s} Aranjuez 21 de Mayo de 1749.

El MARG^{S} de la ENSENADA

Sres Gobern^{r} y Oficiales R^{s} de Maracaybo.

Yo el abaxo firmado Notario Publico devidamenta Jurado y admitido &c. Certifico y hago Fé, de que la Presente es Copia Verdadera de la Orden fecha y firmada como Arriba; Cuyo Original que da en la Secretaria de Estado de Su Mag^{d} Britanico, con la qual la hé yo examinado y fielm^{te} Comparado. En Testim^{o} de Verdad doy esta firmada de mi mano, paraque sirva, conste y se execute donde convenga. Londres el 27 de Julio de 1749.

Sebastian Puchol. Not^{o} Pub^{o}

17 27/7 49.*

*I, the undersigned Notary Public, separately sworn and admitted &c., certify and make oath that the present is a true copy of the order made and signed as above; whose original is in the Secretariat of State of his Britannic Majesty, with which I have examined and faithfully compared it. In testimony of whose truth I have signed this with my hand, that it may serve, appear, and be executed where agreed. London 27 July 1749. Sebastian Puchol. Notary Public.

TRANSLATION.

Whereas by a late Agreement between this Court and that of London, the last Day of Hostilities in Spain on this side the Line whether in the American Seas or elsewhere is to be understood to be the 9th of August 1748 being the Day whereon the Six Weeks from the King's acceding to the Preliminaries at Aix la Chapelle de 28th of June preceding expired; His Majesty has commanded me to acquaint you therewith to the End that in Conformity to the said Agreement you may order to be restored to the English all such Prizes taken from them either by Men of War or Privateers on this side the Line since the said 9th Day of August, as have been carried into any of the ports under Your Government; And you are further to take Notice, that such Resti tution is to extend to the Ships, Rigging, Stores and Cargo of said Prizes & that in Case the whole or any part thereof has been sold or divided amongst the Captors the just Value shall be made good to the owners.

The English in like manner are to restore on their side, such Prizes as they may have taken from Us in like Circumstances whereof I give you Notice to the End that you may give Advice of all such as may have come to your Knowledge in order to their being reclaim'd supposing they have not of their own Accord made Restitution without any such Application on Our part.

I acquaint you of the Premises in order to your Complyance therewith; and at the same Time inform you, that the like orders have been given to the other Governors & Royal Officers of the Indies.

Moreover 'tis His Majesty's Pleasure that the Ships Prosperity & Sally, taken, the one the 3d & the other the 7th of Septr upon the Coast of Virginia in North America, be restored to the English with all their Rigging, Stores Cargo &ca; the Minister of London at this Court having reclaimed the same; whereof You are to take due Notice, to the End, that in Case said Ships have been carried into that Port & were really taken after the said 9th Day of August,

you may take care to see them restored: And it is furthermore his Majesty's Pleasure that in case said Ships, their Cargo, Rigging Stores or any part thereof has been Sold the same be immediately restored to the Owners; without giving room for any new Instance on their part or any further Application on that of the Court of England on this Behalf as you will answer it at your Peril, of the Receipt of these Presents & of what has been done in Conformity thereto, You'll please to give me Advice for His Majesty's Information

I am &c;

(Signed)

MARQ^{S} DE LA ENSENADA

ARANJUEZ 21st May 1749.

[Indorsed by Jonathan Law] Copy of the Translation of Spanish Orders to y^{e} Gov^{r} of Hispaniola

LIST OF SPANISH GOVERNMENTS IN AMERICA.

List of the Spanish Governors to whom the general Order was Sent

Gov^{r} & Cap^{t} Gen^{l} of the Island of Cuba & City of Havanna.

Gov^{r} & Cap^{t} Gen^{l} of the Garrison of S^{t} Augustin.

Gov^{r} & Capt General of the Island of Hispaniola & City of Domingo.

Gov^{r} of the City of Carthagena.

Gov^{r} & Capt. General of the City & Port of Vera Cruz

Gov^{r} of the City of Santiago de Cuba.

Gov^{r} of the Island & City of S^{t} John Puerto Rico.

Lieu^{t} Gen^{l} of Porto Bello.

Gov^{r} of la Trinidad de Barlovento.

Gov^{r} of the Island of Margarita.

Gov^{r} of the Province & City of S^{ta} Martha.

Gov^{r} & Cap^{t} Gen^{l} of the Province of Benezuela & City of Caracas.

Gov^{r} of the Province & City of Leon of Nicaragua.

Gov^{r} of the Province & City of Maraycabo

Gov^{r} & Capt. Gen^{l} of the Province of Yucatan.
Gov^{r} of the Province of Cumana.
Gov^{r} of the Province of Honduras & City of Comayagua

JONATHAN LAW TO WILLIAM SHIRLEY.

MILFORD June 13 1749

Hon^{ble} Gentlemen

Herewith you have inclosed a Copy of the Conclusion of our Assembly on a Memorial of the Inhabitants of the towns of Woodstock, Suffield, Endfield and Sum̄ers setting forth their being deprived of the just Rights and Priviledges to them belonging under the Royal Charter granted to this Colony

And to request your joyning with this Gov^{t} in the matters containd in their Conclusion as to the Measures needfull to be taken for ascertaining the divisional Line between the two Gov^{ts} and on your Complyance, to let me know your Resolution y^{r}on that I may do what to me appertains therein

So remaining

Your Excellencies
and y^{e} hon^{ble} Assemblies
most humble obedient
Servant I Subscribe
JONTH LAW

Hon^{ble} Gov^{r} SHIRLEY Esq^{r} and Assembly of the Massathusetts

WILLIAM SHIRLEY TO JONATHAN LAW.

BOSTON June 21. 1749

Sir,

I am favour'd with the Copy of your Act of Assembly for taking the four Towns therein mention'd out of the Jurisdiction of the Governm^{t} of this province into that of your own; w^{ch} I have layd before the two Houses for their Consideration, and shall communicate to your Honour the

Determination of this Governm^{t} in answer to it, as soon as it is form'd

In Answer to M^{r} Agent Palmer's letter to you, I inclose your Honour a Copy of what I wrote to the Duke of Bedford* upon the Accompts of the Expences of the late Regiment rais'd within your Colony for the intended Expedition against Canada: as to that part of it w^{ch} concern'd the Cloathing & Arms I made no Objection to the Charge of those Articles thô it was considerably higher than that of the same Articles provided by myself upon the like Occasion.

I am with great regard, Sir,
Your Honour's most Obed^{t}
Humble servant
W SHIRLEY.

His Honour Gov^{r} LAW.

MASSACHUSETTS GENERAL COURT TO CONNECTICUT GENERAL ASSEMBLY.

BOSTON 28th June 1749

Hon^{ble} Gentlemen,

I am directed to acquaint you that Governor Law's Letter of the 13th Instant, & the Act of the Assembly of Connecticut which was inclosed in it, have been laid before the General Court of this Province, & they have fully considered their Contents; The Court had been before inform'd of the desire of the present Inhabitants of the Towns of Woodstock, Suffield, Enfield & Somers to be placed under your Governm^{t}, which desire was suppos'd principally to proceed from an Apprehension of being thereby freed from their Proportion of a Debt which this Province has contracted for it's own Defence, & the Defence of the other Governments to which it serves as a Barrier; but it never was imagined that the General Assembly of Connecticut would openly support & encourage such Petitioners in direct Violation of a solemn Treaty & Settlement, begun at the Instance of

* See LAW PAPERS, vol. III, page 55.

your Government, agreed on by Commissrs fully impowered for that purpose, & afterwards ratified & confirmed by the respective Acts of both Governments; and if any thing propos'd to be done consequent upon this Settlement remains imperfect, as is insinuated in the above mention'd Act, it has not been the fault of this Government, for they always have been & still remain ready to do every thing that was agreed to be done on their part: You alledge that Woodstock, Suffield, Enfield & Somers are within the Bounds of your Charter, & that the Governmts had no Power to alter the Jurisdiction, but this can never be sufficient to justify your Proposal for running the Line anew, & therefore you urge that the present Line as agreed on never had his Majesty's Confirmation, and you say, it never ought to have, but give no reason for this your Assertion. I am to inform you that Copies of all Acts & Orders of this Governmt are from time to time sent home & laid before his Majesty or his Ministers, as were, in particular, the several Agreements made between the two Governmts, which are recorded at large in the General Court's Books, and if any thing passes here contrary to the Royal Mind & Pleasure, we have reason to expect it will be signified to us: But besides this, it appears very agreable to Reason that a Line deliberately setled above thirty Years ago should be more likely to obtain the Royal Confirmation because of the many Acts in Consequence of such Settlement, than a Line to be agreed on at this day; there can be no great room to doubt that where both Governmts have agreed to a small Alteration of the Line of Jurisdiction, at the earnest desire & for the Convenience of the Inhabitants immediately affected by it, as was the Case in the Settlement between the two Governments, his Majesty's gracious Approbation of such Alteration in a more explicit manner than yet appears might if necessary be obtained; and if the Governmt of Connecticut were in doubt as to the Validity of this Settlement, it would have been more agreable to their general Character to have proposed a joint Application to his Majesty for his most gracious Confirmation than to have declared the same void,

& appointed Commissrs to run the Line anew: What is intended by the Mistake in the Proceedings of the Commissrs as refer'd to in your Act, we are unable to comprehend, above thirty Years having past & nothing of this Nature having ever been suggested to us. I am further to inform you, that if there had been a Prospect of ever so great Advantages to this Governmt by any Alteration of the present Boundary Line, & by breaking through the solemn Ingagemts of their Predecessors, which in honour & Conscience they are bound to observe, such Advantages would have no manner of Influence upon them; nor can there be one Instance of a contrary behaviour charg'd against this Province from it's first Incorporation to this day.

Upon the whole, Whatever ill Consequence may arise to either Governmt from this Controversy, let it always be remembered that you are the first Movers in it, and that this Province is perfectly disposed to preserve & maintain that Peace & Harmony which has from the beginning remarkably subsested between us.

I am Sir

Your very humble Servant,
By Order of the Genl Court of the
Province of the Massachusetts Bay
J. WILLARD Secry.

To the honble JONATHAN LAW Esqr Govr of the Colony of Connecticut, to be communicated to the General Assembly.

JONATHAN LAW TO ROGER WOLCOTT.

MILFORD July 15th 1749

Sr

By the Act of May last with respect to the Towns of Woodstock &c I was desird to send it to the Govt of the Massathusetts and request their joyning with us in our Conclusions, which I have done and have recd from Mr Secry Willard an Answer to it a Copy whereof I inclose to you and in Case of their Refusal, to prepare and state ye

Case and send it to our Agent and direct him to petition his Majty to appoint Comrs &c It is necessary in order thereto That I be furnishd with materials necessary to do it by, and remembering you were one of the Comtee that prepard the Bill I send by this Express for your Assistance and Direction therein If you and Esqr Pitkin and ye other Gentlemen about you think when you see their Answer that its best to be expeditious in our Application to his Majty

I have also a Motion made by Govr Shirley for appointing Comrs to joyn with the Comrs of the Massathusetts (New Hampshire and Nova Scotia designd to be sent to) to meet with some Indians of the Penobscutt and Norridgewalk Tribes authoryzd by yr own Tribes and those of St Francois and St Johns River to make peace and that he has appointed a Conference att Falmouth on the 27th of September, which I cōunicated to my Comtee of Warr here, who supposd it could not be done without an Assembly and could not see it any wayes necessary for us since we never proclaimd warr against them as did the Massathusetts, and others proposd to be concernd at this Meeting (thô we were movd to it by Lt Govr Phipps) and as our Engagement was only by the Kings Proclamation of warr so we are included in his Proclamation of Peace, of which I ask your Advice, also.

and am Your humble obedient
Servant
JONTH LAW

The honble Roger Wolcott Esqr

PHINEAS LYMAN TO JONATHAN LAW.

May it Pleas your Honr

I was at Boston when your Honrs Letter with a Coppy of ye Act of Court Came & they Chose a Comtee to Consider of it but had acted nothing when I Came out & I have heard nothing Since but only the Common Talk is that they have wrote home to their agent to get ye old agreement Confirm'd which I believe is their only dependance & we are

afraid they will get it done before Mr Palmer will be Appriz'd of ye Case we Earnestly Entreat your Honr To Send ye State of ye Case to Mr Palmer as quick as Possible that they may be Acquainted with it & then I believe there is not much danger I should be glad to have ye Case determin'd before Govr Shirley gets home which will be in ye fall we Pray your [ ]nour to be as Spedy as Possible for fear we should Loose our Case for want of Acquainting ye Agent Seasonably To oppose ye Motion that may be made on ye Part of ye Province I'm your Honour's Assured friend & very Humble Servt

PHINS LYMAN

SUFFIELD July 17th 1749
To ye Honble JONTH LAW Govr

JONATHAN LAW TO ELIAKIM PALMER.

MILFORD July 24th 1749

Sr

On some private Information That the Massathusetts are on a Design to intereept the Motion made by the four agrieved Towns by obtaining of his Majty a Confirmation of the Agreement made between the two Govts in 1713 their Agents & others are very solicitous to have you apprized of it as soon as possible that you might be under Advantage to putt it by, till the Case can be truely stated which will take up considerable time Whereupon I have by the advice of his Honr the Dep: Govr and some of the Council inclosd to you the Act of our Assembly in May last and a Copy of the Reply made by the Massathusetts, that you may be acquainted with the Difficulties we are fallen into.

The Difficulties began before my acquaintance with publick Affairs The Massathusetts having ex parte runn their South Line by Woodward and Saffery fixd yr Station in Wrentham calld Safferies tree three miles South of the head of a little Brook which empties into Charles's River 8 or 10 miles South of any part of the River it self and from thence run West thrô the Wilderness to Windsor across Bis-

sells house near the middle of Windsor Township about 12 miles South of a West Line from Safferies or Wrentham Tree, where upon many Quarrells fightings and law Suits were brôt in Hampshire County and Windser men condemnd and Imprisond for entering on the lands granted by this Govt till in 1713 an Agreement was made by Comrs from both Govts in 1713 and afterwards approved by both Govts by which Agreement it is manifest that these 4 Towns were in this Govt by the Massathusetts gaining an Equivolent for the lands they had granted South of their Line thô they have laid 44000 acres of it North of yr West line on the North of yr Charles bounds and in New Hampshire which they ought to purchase of them or the King as they did the land they had granted in this Govt Now althô I am ready to conjecture That the Inhabitants in that day might be easy to remain under ye Govt which settled them and granted the land and purchased it for them when they found it to be out of yr Charter (the Massathusetts being superior to poor Connecticutt) which made no Difficulty whilst they willingly submitted and Connecticutt made no Demand on them yet when yr Posterity see the mistake of yr Ancestors and consider that althô ye Govts had a Right to exchange Lands yet this Govt could no wayes give Authority to the Massathusetts to govern any people out of their Charter and within ours they refuse to be farther concernd with them, send no Deputies, take no Comns nor acknowledge any Authority under them, and I am afraid of the Mischievous Consequences which may follow thereon My Advice indeed is that seeing they are in fact and from yr first Settlement have been under that Govt that they should be easy till right can be done them

Now this comes to desire you to delay any Motion that may be made for Confirmation of sd Agreement till I can state the Case and make preparation for your Petitioning his Majty to appoint Comrs to runn and ascertain the dividend Line between the Govts and obtain his Majties Confirmation yrof

This Govt have not I think been movd by any ambitious principles to make ymselves a little larger or in hopes of any real Benefitt by such an Addition but meerly from a principle of Justice to these people who seem to have so clear a Right to demand it having lately wrote you about our other Affairs I have nothing to add but assure you that I am

Your faithfull friend
and obedient humble Servant
JONATHAN LAW

P S The Assembly not setting Give my hearty Thanks to Dr Avery for his Care and Concern for the Welfare of this Govt in putting a Stopp to that which might have been so prejudicial to us and accept the same from your humble Servant

J L

MILFORD July 25th 1749

Gentlemen

I ask your special Care in sending the inclosed Paquett to Esqr Palmer our Agent by the first Shipp which may be bound directly to London I will take Care to reimburse you the Charge you shall be at, wn you let me know it and remain

Your very humble Servant
J L

Messrs PALMER and BALSTON

[Indorsed] Copy of a Letter to Agent Palmer July 21 1749 and to Messrs Balston and Palmer

JONATHAN LAW TO THOMAS FITCH.

MILFORD July 28. 1749

Sr

On the Refusal of the Massathusetts to joyn us in any of ye Conclusions our Assembly came into with respect to the new running the dividend Line I sent by Express to the D Govr &c a Copy of it moving for Directions how I might

be furnisht with Materials to state the Case and at the same time came Mr Levitt from Majr Lyman very earnest I would with all speed send to our Agent to delay any Motion that should be made by ye Massathusetts for ye Confirmation of ye Agreemt of 1713 wch they understood would be moved for I recd a Letter from the D Govr and the stating ye Case by his Memory and that I should have Copies from Mr Secry and since it would take up much time to go thrô with it Mr Pipkin thôt it woud be needfull to apprize our Agent of the design to intercept by a Confirmation of the Agreemt that he might delay it till the Case could be stated and preparation made for his preferring our Petition which I have done but the Post giving me Slipp I shall send it by a private hand or Express by monday morning at farthest with Copies of our Act and the Answer to it Mr Brown having stated ye Case wn he went to N York I advisd him to send for it to Mr Brown which he undertook but not receiving any thing from him I now send to you. by mr Levetts Acct I doubt there will be difficulty he sais they send no Deptıes take no Comns Acknowledge no Authority under the Massathts who have great Demands upon them but 2 or 300 men wont be able to effect any thing upon them

by my last Acct from our Agent 15th of April I understand he has so farr succeeded in his Petition as to suppress the 2 last Paragraphs in the Bill so far as it concerns us & is to be heard on the whole by a Comtee of the lower House. Boston has Desired him to Joyn with Mr Bollan in a Petition to putt an End to Bills in all the Provinces but Refus'd not thinking it proper without leave, and that he and Dr Avery had put a Stopp for the present to an affair on the Tapis for Creating Bishopps in the Plantations, but the Post waiting, so can only assure you that I am

yr Faithfull Friend & humble Servt

J LAW

Coll Thom Fitch Esqr

JOSIAH WILLARD TO JONATHAN LAW.

(Duplicate)

BOSTON August 7. 1749

Honoured Gentlemen,

The General Court of this Province have receiv'd Information, that on the 28th of July last the Inhabts of the Town of Woodstock in the County of Worcester in this Province under Colour or Pretence of a Warrant from James Bicknall Esqr a Justice of the Peace in the Colony of Connecticut, assembled together & made Choice of such Town Officers as are known & required to be chosen by the Laws of that Colony, notwithstanding that the said Town no longer ago than in March last had chosen all such Officers as by the Laws of this Governmt Towns are required to chuse, to serve for the Year ensuing. The Court have received further Information that Messrs Leavern, Holbrook & Bicknall all Justices in the Colony of Connecticut being present at the said Meeting did in a very unwarrantable manner assume the Exercise of that Power in the Town of Woodstock in this Province, which they cannot have a Right to by Virtue of any Commission from the Governmt of your Colony: These are very extraordinary Proceedings, as well of the aforesd Justices of the Peace, as of the Inhabitants of the said Town of Woodstock, of which we give you this publick Notice, that you may have Opportunity of shewing your Disapprobation as soon as possible, which may be the means of the said Inhabitants returning to their Duty, & may prevent those great Evils which must arise from a controverted Jurisdiction, and a confused Exercise of the Executive Power of the two Governments; And I am further to acquaint you that the Legislature of this Province is determined to encourage & support all proper Officers in the regular Use of their Power over the Inhabitants of the Town of Woodstock, and to take such Measures as shall compel them to their Duty, & preserve them in their Sub-

jection & Obedience to the Laws & Authority of this Governmt

I am Gentlemen,

Your most Obedient humble Servant

By Order of the Great & Genl Court or Assemby of the Province of the Massachusetts Bay

J WILLARD Secry

The honble JONATHAN LAW Esqr

to be communicated to the Genl Assembly of the Colony of Connecticut

JONATHAN LAW TO JOSIAH WILLARD.

MILFORD Sept 5th 1749

Sr

Yours of ye 7th of Augst last I recd, but delayed making any Reply to it, till I might have Opportunity with the Gentlemen of the Council, to know whether they thôt it needfull on this Emergency to call an Assembly, whose Opinion was, That it was best to let it rest till their usual Sessions. In the mean while I intreat you to forbear any forceable Attempts on that people, who came from your Govt as did the bigger part of our North Eastern Inhabitants whose Transplantation may not have altered the Suddeness and Resolution of their natural Temper and Disposition whence I am fearfull of the ill Consequences of any sudden and forceable attempts which I hope your Govt will prudently delay till a better Understanding may be had.

Our Justices's Authority are limited to the Counties for which they are appointed, and Woodstock was never added to any of our Counties, that I know of, and if they do any thing under Colour of an Authority, where they have none, they must be responsible for their misdoings.

However as to the Case it self. It seems plain to me by the Agreement of 1713 That the Townshipp of Woodstock which you granted, was understood to be out of your Bounds Seeing you granted an Equivolent of lands in your Govt in Exchange for it, which Exchange the Govts could make but how this Govt could give you an Authority to

govern any people out of your Charter, thô within ours is difficult for me to conceive of: Yet so long as the people were easy and did submitt to your Govt and ours made no Demand upon them it was well enough

As for your Govts being alwayes in the right. It looks to me rather That Mr Tomlinsons charge upon you in his plea, That you were an overgrown Province and imposd on your Neighbours might have too much of truth in it, since Hamshire on the North put you out of so many Towns which you had granted and Settled and Rhoad Island on the South. Althô since my Memory You sent Sheriff Gookins Capt and Jn Arnold Goal Keeper Lieut with a Troop of Horse to bring little Compton to Obedience to your Govt yet when the dividend Line came to be settled that Town with four or five more were found to be in Rhoad island Govt.

Notwithstanding if Woodstock were content to remain in your Govt who granted them their land and purchased it for them, when you found, you had no right to grant it I should be under no Temptation to covet an Enlargement of this by their being placed where God and the King has fixd the bounds of their Habitation. I remain

Sr Your obedient
humble Servant
JONTH LAW

To J Willard Esqr Secry to be comunicated to the great and gen'l Assembly of ye Massachss Bay

[Indorsed] Secry Willards of August 7th 1749 recd 17th and Answer Septbr 5

REPORT OF COMMITTEE OF THE GENERAL ASSEMBLY.

To the Honable The Generall Assembly Now sitting at New Haven*

Your Honrs having Orderd us to take into Consideration severall Letters that have passed between His Honr The Govr and Mr Secretary Willard in Relation to the Dividing line between the Province of the Massachusetts bay and this Colony and the Disturbances among the In-

* The session of October, 1749.

habitants of Woodstock occasioned by a Different Opinion to which of the two Governments the Town of Woodstock Doth belong

We have accordingly taken the Same into Consideration and the State of the Case in Controversie Appears to us to be as followeth

That King Charles the first in the fourth year of his Reign Granted Letters Pattent to the [ ]ny of the Massachusetts bay bounded south on a line to Comence three English Miles south of the south Part of Charles River or any and Every part thereof and from thence to run due West.

That the Charter to the Colony of Conecticutt is bounded North on this line of the Massachusetts

That in the year 1636 the Town of Windsor was Granted and setled by the Government of Conecticutt and Mr John Bissell Erected a house Near the River about the Middle of the Town as it was then Granted and setled by Conecticutt

That in the year 1642 the Colony of the Massachusetts Apointed Woodward and Safry to run the line of their south bounds who began at a Tree in Wrentham since Called Woodward and Safrys tree and Carryed the line Westward to Bissells house in Windsor

That there is no pretension that Woodward and Safry's tree is less than three English Miles south of the south part of Charles River and it is Generally reported that it stands seven miles south of it

That about the year 1683 the Towns of Woodstock Endfield and Sufield were Granted and setled by the Colony of the Massachusetts the two last mentiond of sd Towns Was so Granted as to Lap about two Miles on the Antient bounds of the Town of Windsor

That the Inhabitants of the Town of Windsor Continued to Claim and Improve to their Antient bounds till about the year 1710 some of them being found within the two Miles Controverted were seized as Trespassers by the officers of the Province of the Massachusetts and Causd to Answer at the Court in the County of Hampshire and there Condemned in a Considerable sum

That further Contentions Arissing between the borderers Comissioners Were Apointed by Each Government to setle the Dividing line Who met in the year 1713 and Agreed that the line should Comence at Woodward and Safrys Tree and from thence to run West according to the Charters And that if it should be found upon runing the line The Towns of Wodstock Endfield and Sufield Were setled south of the line they should Notwithstanding belong to the Province and Connecticutt should have an Equivolent of land for that Contained in their Towns

That the line was soon after run and Came to Conecticut River about ten miles North of Bissells house and The Towns of Woodstock Endfield and Sufield were found to be on the south of it

That this Agreement was aproved of by both the Governments and Connecticutt Received an Equivolent for the Land a Great part of Which Was Laid out in the Province of New Hamshire

That the Inhabitants of the Towns of Woodstock Endfield and Sufield have quietly submitted to the Government of the Province till of late they have declard that the Province hath no Legall Jurisdiction over them and that they are Legally under the Jurisdicton of Conecticutt and have Right to Enjoy the priviledges Granted in the Charter to Conecticutt and have Moved to the Assembly of Conecticutt to be allowed and protected in the Enjoyment of those priviledges

That upon this Motion the Generall Assembly of Conecticutt Apointed Comissiors on their part to Join with such Comisioners as should be apointed on the part of the Province to run the line Anew and Carry it into a Legall settlement Which Motion of this Government Was Transmitted to the Govern^{t} of the Province but took no Efect with them

That the Assembly of Conecticutt at their sessions in May Last took the Afair Again into Consideration and Declared and Resolved That the two Governments have No power to Exchange or Alter their Jurisdiction and that the Agreement in 1713 Not having His Majesties Aprobation is void and that it Never ought to have the Royall

Aprobation and Did thereupon Declare that the Inhabitants that live south of the Massachusetts Charter have a Right to the priviledges of this Government And apointed Comissioners to Join with such as shoud be apointed by the Province to run the line and Desired His Honr the Govr to Acquaint the Generall Assembly of the Province with it and when the line was thus run According to the Chartors That both Governments should Jointly Aply to the King for a Legall setlement of it And that if the Province should not Agree with us in it or the Comissioners Could Not Agree That then the Govr should send the Case with a petition to His Majestie that he Would Graciously be pleasd to Apoint Comissioners to run the line According to the Charters

That by a Letter from Mr Secretary Willard of the 28th of June Last we are Informed that the Governrs Letter with the Act of the Assembly of May Last has been Laid before the Generall Court of the Province and that they have Not Complyed with us in it

Whereupon beg Leave to Report

That it is proper that the Case be stated and a petition to His Majestie be prepared and signd by the Govr and Secretary and sent as soon as may be to the Agent to be by him laid before His Majestie in Councill according to the act of the Asembly in May Last

That a Letter we have prepard in Answer to Mr Secretary Willards Letters be Considered and yt that as sone other* as the Asembly in ther Great Wisdom shall think proper be signed by the Secretary and sent to Mr Secretary Willard to be laid before ye Genall Assembly of ye Province

Roger Wolcott
James Wadsworth
Joseph Fowler
Benjn Hall
Jer. Miller
Elihu Chauncey
Timothy Stone

In ye Lower house
The foregoing Report Read & Aproved

Test Jno Fowler Clerk

* Apparently an error for "after."

JOSIAH WILLARD TO GEORGE WYLLYS.

Boston January 3d 1749

Sir,

It is with great Concern that the General Court of this Province observe the Proceedings of your Government, in continuing to countenance and encourage the Inhabitants of the Towns of Woodstock, Enfield, Suffield and Somers in their irregular and tumultuous Attempts to place themselves under the Jurisdiction of Connecticut, after an orderly Submission to the Government of the Massachusetts Province for so long a Term of Years.

A Controversy of this Nature between two Governments it is not likely should speedily, if ever, be setled by an Intercourse of Letters, especially as Governour Laws has been pleas'd to express himself in Language which tends rather to increase than repair a Breach; I refer more particularly to his Letter of the fifth of September last: The General Court have therefore thought proper to appoint and impower Commissioners in behalf of this Province, to treat with such Commissioners as are or may be appointed on the part of Connecticut on the subject Matter of the present Controversy: And I am directed to propose to you that the said Commissioners do meet first at Springfield on the first Wednesday of April next, and that they have Power to agree on any other time and Place for their after Meetings.

I have only further to desire your Answer to this Letter in proper Season, and that in the mean time the Inhabitants of those Towns may not be supported by the Authority of Connecticut in their Revolt from the Massachusetts

I am

In the Name and by Order of the
General Assembly,
Sir,
Your most humble Servant
J WILLARD Secy

To Mr Secry Willis, To be laid before the General Assembly of the Colony of Connecticut, or in the Reces thereof, before the Governour & Council

JONATHAN LAW TO JOSIAH WILLARD.

MILFORD Jan^{ry} 26th 1749/50

Sir

The Letter you Sent to M^{r} Secretary Wyllys to be laid before the General Assembly and in the Recess thereof before the Governour and Council is sent to me, with the thôts of his Honour the Deputy Governour Observing that the act of your Assembly is not come with it, which Seems to be Necessary in Order to our proceeding and giving you a proper Answer thereto, Whereupon I ask the Favour of a Copy of your act; my Reason for it is; that the Act of our Assembly (which lyes before you) directs me to Give Commissions (to the Gentlemen nominated) to Runn and Ascertain the Dividend Line (between the Governments) according to the Charters, and these Commissions must pursue the Instructions; and in case your Commissions are only to Treat on the Subject Matter of the present Controversy. That their Authority will not be Equal to what our Commis^{rs} are to be furnish't with, So that unless your Assembly will direct to the Giving an Authority to Ascertain the line According to the charters, their Authorities will not be Equal and therefore ineffectual; but if your Assembly cant or will not Give as plenary an Authority as I am directed to Give our Commiss^{rs} I will call an Assembly to direct me to give Such a Commission as yours have; For however you Mistake my Letter to have a Tendency to promote the Difference, it is farr from my Intention, for my Design in Representing Difficulties on Your side & in favour of the Contending Towns was only to Diswade Your Assembly from any forceable Measures for fear of Resistance from them, and our people in that Quarter of our Government.

As for Adjournments of the Commis^{rs} 'tis true our Act makes no mention of it, if that be necessary, and is not forever imply'd without being Express'd, I would call our Assembly to supply that Defect, for I am sincerely affected so far as is possible to avoid all Quarrells and Controversys, a Character, which I would by no means forfeit.

I would therefore intreat a Copy of your act without delay, the time proposed for the meeting being so near, I shall have Difficulty Enough to Carry it throh in Case an Assembly here Should be Needfull. And it seems to me most agreeable on the same Week, the Superiour Court setts at Newhaven, and would therefore Urge your sending a Copy by the next Post, That I may know, whether it be necessary to call an Assembly

I Subscribe

Your very humble Servant

JONTH LAW

P S: I cant account for your sending to our Assembly or Govr and Council when our Act leaves nothing to be done except the Govrs making out the Comns on your Assembly's Compliance with ours whence I conclude your Comrs are not betrusted with the like full Authority with ours but when you shall favour me with a Copy of your Act, I shall be as free to call an Assembly for their Complyance with yours as I signified before, if our Council dont disagree to it and oppose it

J LAW

I should be glad to have your Assembly or Govr & Council acquainted herewith

Josiah Willard Secry

[Indorsed] Letter from Jona Law Esr Jany 26, 1749/50

JOSIAH WILLARD TO JONATHAN LAW.

Boston Feby 13. 1749

Sir,

I received your Honour's Letter of the 26th of January not 'till this day: I have laid it before the Lieutt Governour & Council of this Province, the General Court being under Adjournment. According to your desire I have sent you Copies of every thing that I can find, pass'd the General Court, that may shew you the Extent of the Power of the Gentlemen elected and appointed by the Court to treat with Commissioners from your Government on the Affair of the four Towns. I shall be sorry if you should find any In-

convenience by the late Arrival of this Letter, having neglected no time to answer you.

I am with due Respect Sir,
Your Honours most Obedient
humble Servant
J WILLARD

The hon^ble^ Governour LAWS

VOTE OF MASSACHUSETTS GENERAL COURT.

At a Great & General Court or Assembly for his Majesty's Province of the Massachusetts Bay held at Boston upon the twenty third day of November 1749

Jan^y^ 9^th^ In the House of Represent^ves^ Voted that the House are now ready to come to a Vote with the hon^ble^ Board to treat with such Gentlemen as are or may be appointed by the Government of Connecticut relating to the Claim of the Towns of Woodstock, Suffield, Enfield & Somers to be under the Jurisdiction of said Government, And that his Honour the Lieutenant Governour be desired to commissionate the Gentlemen appointed by this Government accordingly, And that they make Report of their Doings to this Court, And that the Number of the Commissioners be three, one of them of the Board, & two of the House, Also

Voted that the Secretary propose to the Governm^t^ of Connecticut that Springfield be the Place for the first Meeting of the Commissioners on the first Wednesday of April next, or on such further day as the said Governm^t^ of Connecticut may think more convenient Notice be given to the Commissioners on the Part of this Province.

In Council Read & Concur'd. Consented to, S. PHIPS
Copy Examined ℔ J WILLARD Secry

And the two Houses proceeded to the Choice of Commissioners to treat with Commissioners from the Governm^t^ of Connecticut. And Thomas Hutchinson, Israel Williams & Timothy Dwight Esq^rs^ were elected by the Major Vote of the Council & House of Representatives. To which Election the Lieutenant Governour sign'd his Consent

Copy Examined ℔ J WILLARD Secry

JONATHAN LAW TO JOSIAH WILLARD.

MILFORD March 8 1749–50

Sr

Yours of the 13th of febr last I recd on the 28th and proceeded the next day to New Haven where I calld the Council and laid before them the Act of your Assembly appointing Comrs to treat with ours abt the four Towns, who gave me their Opinion That such a Treaty would be no wayes conclusive of the Difficulty between us and therefore desird me to inform your Assembly (which they understood to stand adjournd to some time in this month) That they insist on a Settlement of the Divisional Line according to the Charters and then a joynt Application for his Majties Confirmation, on which our Northern Gentlemen write a Ne plus ultra

I flatter my self, your Assembly will readily comply with giving as plenary a power as ours have done for the begining and runing the divisional Line between the two Govts that no Complaints may be made by the Inhabitants in time to come It dos not so much affect our more Southern parts since no land is expected to be gaind or lost thereby. In case I shall be informd by you of your Assembly's Complyance with the Measures proposed by ours and appoint time and place for their Meeting I shall be very free and ready to comissionate ours to joyn them

and remain

Your obedient humble Servant

J LAW

JOSIAH WILLARD Esqr

[Indorsed] Copy of a Letter to Secry Willard March 8 1749–50

WILLIAM GREENE TO COLONY OF CONNECTICUT.

NEWPORT May 5th 1750

Gentlemen

The General Assembly of this Colony have been informed that the Northern Boundary Line of your Colony is not setled with the Masschusetts and as ours is in the same Situation we have appointed Commissioners to meet with

such as are or shall be appointed by the Province: And it being highly probable that your Colony & ours may reciprocally assist each other I send your Honors a Copy of the Act* past here and request your Assistance in the Premises

I am Gent

Your most obedient

humble Servant

W GREENE

Honble the Gov^{r} & Comp^{a} of Connecticut

RICHARD PARTRIDGE'S APPOINTMENT.

Anno R^{i} R^{s} Georgij 2^{o} 23^{o}

L S

Att a General Assembly holden at Hartford in His Majesty's English Colony of Connecticut in New England in America on the 2^{d} Thursday of May Annoq. Dom: 1750.

The Governor and Company of His Majesty's English Colony of Connecticut in New England in America in this Present General Court Assembled, Do nominate constitute and appoint Richard Partridge Esq^{r} of London to be Agent, at the Court of Great Britain for and in behalf and in the Name of the said Governor and Company to appear before His Majesty, or any of His Courts Ministers, or Judges in Great Britain there to manage Act and defend, in all and every Matter, Cause or Thing wherein the said Governor and Company, are or may be interested or concerned, And the said Governor and Company in General Court assembled as aforesaid, do order and enact that a proper Instrument of Procuration, or Letter of Agency, or Attorney, be accordingly made out, in the Name of the said Governor and Company, under the Publick Seal of this Colony to the said Richard Partridge Esq^{r} accordingly signed by the Governor and Secretary of this Colony which with a Copy of this Act shall be send to the said Agent, as soon as may be

A True Copy

Teste GEORGE WYLLYS Secretary

* The Act here referred to is printed in the Rhode Island Colonial Records, vol. V, page 299.

RICHARD PARTRIDGE'S LETTER OF AGENCY.

L S

Wee the Governor and Company of the English Colony of Conecticut in New England in America. Have authorized constituted and appointed, and by these Presents Do Authorize constitute and appoint Richard Partridge Esq^{r} of the City of London in Great Britain Agent, and Attorney for the said Governor and Company hereby Authorizing and fully impowering him to manage act Transact pursue, prosecute and defend in all and every Matter, Cause and Causes, Thing and Things Affairs and Business in Great Britain wherein this Colony is or may be interested or concerned. And in the Name and Behalf of the said Governor and Company to appear and them to represent before His Majesty, and before any of His Courts Ministers and Judges for the purpose aforesaid

In Testimony whereof, and in pursuance of an Act of the said Governor and Company in General Court assembled, I have signed this Instrument, and Caused the Public Seal of the said Colony to be hereunto affixed, and to be signed by the Secretary of said Colony this 30th Day of May in the 23 Year of the Reign of Our sovereign Lord George the Second by the Grace of God of Great Britain &c. King Defender of the Faith &c. Annoq: Dom: 1750

JONTH LAW Gov^{R}

George Wyllys Secretary

MATTHEW GRAVES TO THE BISHOP OF LONDON.

My Lord/

To vindicate ye Cause of oppress'd Innocence, & relieve those who suffer for Rightousness Sake, is y^{e} Command of our Saviour & a grand Characteristic of his holy Religion. How far I have succeeded in this noble Design, which now in all Humility sues for Your Lordships consummating Approbation, M^{r} Copp, y^{e} Bearer hereof is both a Witness & Example. This Gentleman, who has had a liberal Education, according to y^{e} Methods practis'd in this place, de-

scended from Presbyterian Parents, & was brought up in y^e^ utmost Prejudice to our Religion. At my coming to this Mission, I found him y^e^ publick Master of a Grammer & Mathematical School, supported solely by Presbyterian Donations. By Report he was a bigotted Independent, but a strict Moralist. Curiosity at first led me into his Acquaintance, & Conversation inform'd me of his Parts. His Aversion to our Church I easily apprehended arose from Zeal without Knowledge, Zeal to his own Sect, & Ignorance of our reasonable Service. Hence I apply'd myself to treat with him in an easy manner, & by degrees more closely upon Topics of Religion; & afterwards induc'd him to read some Books wrote in Vindication of our Discipline: y^e^ happy Consequence of which was, he admir'd at, & ingenuously own'd his Ignorance, confess'd y^e^ Purity of our Church & has reason'd & read himself into a conscientious Conformist, as I verily believe. This has so exasperated his bigotted Benefactors, that he is depriv'd of his Office, & y^e^ very house he rented for some years is hired to another. However, he resolves to persevere in his well grounded Resolution, & to rely intirely upon y^e^ Providence of that God, who has changed his Darkness into Light: hence he presumes to cast himself at Your Lordship's Feet, &, if found worthy, to implore y^e^ sacred Imposition of Your Hands. God forbid, y^t^ I shou'd from any Motives whatever recommend an improper Labourer into Christ's Vineyard; & therefore am humbly of Opinion that this Gentleman will make a very useful Missionary. If it be for his Glory, may God incline Your Heart to add him to our Number, otherwise not!

'Tis reported, my Lord, that you intend to appoint a new Commissary in these parts, & that a Native of the place is to discharge that Office. But I hope Your Lordship (for God's sake pardon my well intended Freedom) will be pleas'd to consider, y^t^ as an American is Commissary in y^e^ Western, so to condescend that an European may be empower'd in y^e^ Eastern part of this Continent. For my part I am not at all fit for y^t^ honourable Post; but will be bold to say, y^t^ Doctor Macsparran is every way qualified for it. All

Europeans, especially Ministers, meet with a very ungrateful Reception here: & certain I am, y^t^ there is a Plan already form'd to extirpate us entirely. A Plan which in its Embyo I zealously oppos'd & by y^e^ Help of G^d^ hitherto defeated. A Plan, which I doubt not to affirm wou'd shake y^e^ Foundation of these Infant Churches, by casting us absolutely upon y^e^ Mercy of y^e^ Populace; & reduce us into a servile Presbyterian Dependance. 'T wou'd be too tedious to trouble You with a Recital of y^e^ whole Affair, which y^e^ Bearer being perfectly acquainted w^th^, will, at Your Lordship's Command, impartially relate.

'T wou'd be too long, as well as tragical to repeat y^e^ several Difficulties, Severities & Affronts, which our Hearers are harrass'd with in many parts of this Colony, by rigorous Persecutions, & arbitrary pecuniary Demands, inflicted on y^e^ conscientious Members of our Church, by domineering Presbyterians, y^e^ old implacable Enemies of Sion's Prosperity & Peace. Here Your Lordships Sons are imprison'd, arrested & non-suited with prodigious Cost, contrary to y^e^ Laws of God & Man. All Professors of y^e^ Church of England, over whom there is not a particular Missionary apointed, are oblig'd to support Presbyterian Teachers & their Meeting Houses, a Cruelty, Injustice & Usurpation impos'd on no other Society. This is solemn Truth. As Your Lordship is not only Bishop of these parts, but also one of his Majesty's most Honourable Privy Council, I am confident a Letter from you to some of Your Clergy in this Colony, with Your Lordship's Order or Request to our General Assembly, y^t^ all y^e^ Members or Professors of y^e^ Church of England be exempted from all Rates & Demands whatever collected for y^e^ Support of other Churches & Ministers than their own, wou'd obtain y^e^ desird Effect, & every day gain Proselytes to our holy Communion, who are now restrain'd thro' Fear of additional Taxes.

I cannot, before I conclude, in Justice conceal y^e^ unanimous Approbation Your Lordship's seasonable, pathetic & religious Discourse upon y^e^ two late Earthquakes, met with here, as I am persuaded it did in all other Places & by all

Denominations: but greatly lament, y^t^ tho' so many were dispers'd, yet so few came to our Share. I had but one, y^e^ Gift of a Presbiterian Teacher. As I am fully convinc'd, Your Lordship's sole Design was, to revive, instil & impress sincere Religion, & y^e^ Reverential Fear of God in y^e^ Hearts & Souls of a degenerate, licentious Age, so y^t^ Your Generousity will bestow me some of those useful Tracts, & Your Goodness pardon y^e^ candid Freedom, Sentiments & innumerable Faults of this Letter, is y^e^ humble Desire & earnest Request of

My Lord,
Your Lordship's
most obedient Servant
& dutiful Son
MATT GRAVES

New London July 20th 1750

[Indorsed] The 20 July 1750 Rev^d^ M^r^ Matt: Graves New London

M^r^ Copp recommended for Orders

Complaints of ill usage the Clergy meet with in New England

Answ^d^ 21st April 1752

JAMES BROWN TO JONATHAN LAW.

Norwalk July y^e^ 30th 1750

Sr

Inclosed you have my thot^s^ of what is Necessary To be prov'd in the Case of the four Towns, I intend to go to Hereford the next week, and am willing to Do all I can that nothing may be wanting in Order to a full and fair hearing when it Comes home, I think it but Just that the Towns Should be at the Charge of procuring Some of those Evedences, I hope your Honour will recommend it to Major Lyman to See it Done, I hope to See him and have the thing forthwith Concluded,

I am S^r^ y^r^ Honours most Obedient
and Most Hum^le^ Serv^t^
JAMES BROWN

JONATHAN LAW'S SPEECH TO THE GENERAL ASSEMBLY, OCTOBER 1750.

Gentlemen of the Council and Representatives

That no special Occasion since the last stated Session of this Assembly making it necessary to call you together, has interven'd (as has been the Case of some other Provinces) I would acknowledge as a favour of the divine Providence, and now rejoice with you That we are permitted to convene together to consider and settle the Affairs of this Goverment in the most advantageous manner. God give us Wisedome and grace in proportion to the work he has assignd to us to doe

I shall give you a short Hint of the State of our Affairs at Home which you will further understand when you have heard ye several Letters read

By a Letter from Esqr Partridge of the 26th of March yr Ldshipps of the Board of Trade with whom was left the adjusting and liquidating the Expences on the Canada Expedition made their Report to the Lds of the Treasury after they had made very large abatements thereon which was carryed into the House of Comons where they were agreed to accordingly and supposes the money will be ready to be paid in a short time to those duly authorized to receive it and was informd that a Warrant for Dr Avery's receiving the Cape Britton money would be ready by to Morrow but ye Dr was gone to Bath On ye 11th of May he sais the Dr was not returnd but on ye 17th he heard he was come to Town and that the Treasury had not begun to pay the Canada money

And on the 23d of June he sais yr Ldshipps had not begun to pay it but expected it would be in a short time in as much as the Lds Justices ye Regency have signd a Warrant for it yet he Dr Avery will not meddle with the 5000 and odd ll, granted for Cloathing and A[ ] and must ly till somebody be authorized to receive [ ] (which I hope he has recd before this time, my paquet being sent by Capt Talcott in June)

And Mr Partredge supposes Dr Avery has recd the Cape Britton money and given me an Acct of it having carryed him the Order for it on the Exchequer from the Treasury about a month since but the Fees and Civil List money to be deducted out of it amounts to upwards of eight hundred pounds

And least my Paquett by Capt Talcott should fail I have sent a Duplicate Via N York comitted to the of Mr Peter V B Levingston who informd me of his Readiness to serve me and this Govt and that Capt Bryant would sail that Week or the next

How it comes to pass That I have not recd from Dr Avery an Acct of his Rect of our Cape Britton money I dont learn there has been a Rumour That some Gentlemen having great Sums of our Bills in their hands have sent to way lay our money in our Agents hands yet I hope the Dr will not take any Notice of them

I have observd in some of London papers the appointment of a Meeting of the Purchasers of ye Officers Certificates when the Parliament had reduc'd them to halfpay for yr last years Service, whence it appears that they who act in these Affairs had need do it with a great deal of Caution

I have also recd an Order from the Duke of Bedford dated 14th of April 1750 with the Iron act of Parliament

As also from Mr Hill Clerk of ye Board of Trade and Plantations with the Iron Act, Silk Act and African Act

As I also had before from him two Acts of Parliament One calld an Act for encouraging the people calld Unitas fratrum to settle in his Majties Colonies in America the other An Act for further encouraging the Whale fishery &c all to be duely published and observd here

I recomend it to you to consider how these shall be made publick

I think the Method has been to cause them to be printed and putt into our law book as part of our laws without which I know not how our people should conform to them or our Ministers of Justice putt them in Execution

You may some of you remember That at your last Sessions I was desired and Directed to state the Case with the Assistance of Colon[ll] Fitch in Relation to the divisional Line between this Colony and the Massachusetts

* * * * * * * * * *

I have further to inform you That in order to furnish M[r] Partradge for settling our Acc[ts] with Esq[r] Palmers Ex[rs] I have sent him a Copy of M[r] Palmers Acc[t] wherin he acknowledges the Rec[t] of 69[lls] of M[r] Wilks Ex[rs] and a Copy of his Appointment to be our Agent in Octob[r] 1742 the Grants of his Salery for eight years, and the time of his Service could be but six years and an half however I dare not be positive about it, but conclude that least we paid him for half a year after his Decease

Notwithstanding M[r] Balston has sent a Petition signed by M[r] Palmer of Boston for a Gratuity w[ch] shall be laid before you

And I would further just remind you of a Debt due from the Massathusetts to this Gov[t] for Provisions furnisht them by our Com[tee] of Warr att [ ]

* * * * * * * * * *

CERTIFICATE ABOUT MONEY CARRIED AWAY FROM SPANIARDS.

De las Playas de Ocrecon en la Costa de Virginea 2 de Noviembre de 1750

D[n] Juan Manuel de Bonilla Commandante de el Navio Nuestra Señora de Guadalupe avisa aver Megado con esto Buque desmantelado de la Arboladura, y Symon a una Costa de la Carolina Norte en la nueva Ynglaterra, y que aviendo embarcado en dos Valandras Ynglesas lo mas precioso de su Cargamento, estando estas atracacadas quasi al Costado de su Navio, se hizieron ambas a la Vela el dia 20 de Octubre.

La una var ò en un Vaso de la misma Costa, se prehendio la tripulazion, y se la esta procesando.

La otra huyò, sin aver podido la Lancha de el Navio dar la Alcarze, De todo lo que dio Parte al Governador de

el Puerto mas immediato, quien hizo salir dos Valandras en su seguimiento y busca.

Ultimamente dice que la Valandra que huyò, Uova el importe de mas de 300,000 pessos gruessos: los 16500 en 55 Caxones: y la restante en Plata labra y Generos venian de Cuenta de el Rey.

[Indorsed] Spanish Certificate about the Money carryed away from the Spaniards.

CERTIFICATE ABOUT MONEY CARRIED AWAY FROM SPAINARDS.

Translated out of the Spanish.

From the Sea Coast of Ocrecon (I suppose he means Ocacock) on the Coast of Virginia on the 2 Nov^{r} 1750.

Don Manuel de Bonilla, Commander of the Ship Nuestra Senora Guadalupe, advises that he had arrived with the Hulk of the s^{d} Ship without any Masts & Rudder, at one of the Coasts of N^{o} Carolina in New England; And that he having laden the most valuable part of his Cargo, on board of two English Bilanders or Snows, which were fastened next to his Ships Side, both sailed away on the 20th October.

One of which run on, or was stranded in the Sands or Shoals on the same Coast, the Crew whereof was taken & a Prosecution is carrying on against Them.

The other sailed so fast, that the Ships Boat could not overtake her, all which he imparted to the Governor of the nearest Port, who ordered directly two Snows to sail in quest of the same.

Lastly he says, that the Bilander that escaped has on board the Import of above 300,000 heavy Dollars, 16,500 thereof were packed in 55 Chests, and the rest were in wrought Plate & Goods w^{ch} were on the King's Account.

N B. Gen^{l} Wall says that the sum of 16500 Dollars is a mistake in the original Paper w^{ch} he rec^{d} from Madrid; that the usual & settled way by the Chamber of Commerce in Spain is to put into a Chest 3000 dollars, at w^{ch} Rate 55 Chests must certainly contain 165,000 Dollars.

[Indorsed] Translation of a Spanish Certificate about the Money carryed away from y^{e} Spaniards

INDEX.

Able & Turner, bill of exchange bought by, 193.

Acadia, mentioned, 345, 346.

Acts of Parliament, mentioned—for correcting calendar, 85, for making pot and pearl ashes, 85; received—for continuing premiums upon importations of naval stores, 81, 84, 162, for correcting calendar, 162, for encouraging growth of coffee, 162, for encouraging making of pot and pearl ashes, 82, 84, for encouraging settlement by United Brethren, 522, for encouraging whale fishery, 522, for encouraging growth of silk, 522, for extending trade to Africa, 522; relating to attestation of wills, 162; to encourage exportation of iron, prevent working of iron and prevent manufacture of steel, 522; to regulate and restrain paper bills of credit, 81, 84; printing of recommended, 522; reprinted in Connecticut, 82.

Adams, Pigan, letter written to, 413.

Africa, act of parliament for extending trade to received, 522.

Agent to Great Britain, appointment of 450, 516; declination to serve as, 450.

Aguado, Antonio, letters written by, 241, 249; mentioned, 276, 312.

Aguado, Rogue, letters written by, 241, 249; mentioned, 276, 312.

Aix la Chapelle, preliminaries to treaty of mentioned, 492; treaty of mentioned, 439.

Albany, mentioned, 22, 23, 52, 90, 94, 437, 438, 468; soldiers desired for defence of, 471.

Albany county, mentioned, 24.

Allen, Edward, has bill of exchange, 427.

"Allen" brigantine, mentioned, 482.

Allin, Capt., mentioned, 239.

Alling & Howell, document signed by, 60.

Almy, Col., mentioned, 454.

Alsop, Richard, bill of exchange bought by, 303; document signed by, 62.

American colonies, royal expression of care for and order for good government of, 151, 154, 155, 157.

American governors, royal instructions to, 157.

Amyand, Claude, letter written to, 248.

Andrew, document signed by, 60.

Anne, Queen, laws of mentioned, 244, 258, 269, 271; mentioned, 3, 64, 137, 452.
Annapolis Royal, mentioned, 436, 469; soldiers sent to by Massachusetts, 468.
Anson, Lord, mentioned, 85.
Antigua, letter dated at, 31.
Aplin, Mr., mentioned, 223.
Aranjuez, letter dated at, 492.
Arms, number of remaining from intended expedition against Canada, 421.
Armstrong, Mr., mentioned, 435.
Arnold, Lieut. Jn., mentioned, 507.
Arnold, Thomas, document signed by, 162.
Ashford, mentioned, 262, 263, 316.
Ashley, Mrs., to act as Indian interpreter, 106.
Ashley, John, mentioned, 107.
Ashurst, Sir Henry, mentioned, 7, 17.
Athol, Duke of, at meeting of Council, 151.
Attwater, Jonathan, Jr., document signed by, 60.
Austin, David, document signed by, 60.
Avery, Dr. Benjamin, colony will pay him for his services, 109; expects to soon receive payment for Cape Breton expenses, 521, 522; grant to him recommended, 168; grant voted to him, 179; grant accepted, 188; his services in receiving and paying out money for the colony stated, 92; letters written by, 40, 91, 102, 187, 190, 262; letters written to, 69, 179, 218, 237, 313, 316; mentioned, 41, 42, 44, 47, 49, 50, 54, 68, 73, 74, 82, 83, 85, 86, 87, 90, 91, 96, 97, 101, 189, 190, 192, 222, 239, 324, 390, 427, 503; summary of bills drawn on against money received for expenses of Cape Breton expedition, 237; thanked for his services, 238.
Ayscough, Rev. Francis, mentioned, 376.

Backus, Elijah, mentioned, 75.
Baker, Dea. John, attends consociation meeting, 183.
Baldwin, Joel, document signed by, 60.
Baldwin, see Newton & Baldwin.
Balston, Nathaniel, mentioned, 523.
Balston & Palmer, letter written to, 503; mentioned, 19.
Banyar, George, attestation of copy of document by, 441, 443; document signed by, 276.
Bartholomew, Rev. Andrew, attends consociation meeting, 183.
Bath, mentioned, 83.
Battery at New London, mentioned, 458.
Beach, Dea. John, attends consociation meeting, 183.
Bearcroft, Philip, letter written to, 121.

Bedford, Duke of, letters written by, 28, 32, 45; mentioned, 26, 85, 100, 134, 474, 497, 522.
Beebe, James, attends consociation meeting, 183.
Belcher, Gov. Jonathan, letter written by, 375, 376; mentioned, 450.
Belden (Bilden), Capt., mentioned, 40.
Belding, Thomas, bills of exchange bought by, 192, 193, 194; document signed by, 62.
Bellamy, Rev. Joseph, attends consociation meeting, 183; letter written by, 29; publication by described, 29.
Bellingham, mentioned, 165.
Berkeley, Lord, at meeting of Council, 151.
Bermudas, mentioned, 248,
Bethlehem, letter addressed to, 29; mentioned, 29, 183.
Bicknall, James, mentioned, 505.
Bills of credit, see Paper currency.
Bills of exchange drawn by the colony, about payment of, 40, 41, 42, 92, 187; full list of those drawn, 192; list of those paid, 83, 303; list of those on which payment has been refused, 86, 87; payment of considered, 68; payment of mentioned, 85, 87, 91, 96, 102; payment of to be made, 54; payment of refused, 47, 49; refusal to pay charges and interest on mentioned, 90, 91; refusal of payment of discussed, 50; refusal of payment of mentioned, 82, 83; sale of discussed, 491; trouble about payment of discussed, 69, 103; total amount of drawn, 195.
Bills of exchange drawn against the colony, described, 259; form of given, 252; payment of in paper currency mentioned, 314; sale of discussed, 323; sent from England, 252.
Bird, Capt. Joseph, attends consociation meeting, 183; mentioned, 184.
Bishops for America, talk of creating mentioned, 504.
Bissell, Daniel, Jr., mentioned, 33.
Bissell, John, house of mentioned, 8, 33, 172, 173, 176, 325, 326, 330, 335, 336, 342, 348, 483, 502, 508, 509.
Bivas, Antonio, letter signed by, 368.
Blake, Daniel, appointed deputy surveyor general for care of his majesty's woods, 231, 232; difficulty with over his majesty's woods feared, 235; commission to, 232; document signed by, 378; instructions to, 310; mentioned, 232, 233, 309, 310; petition of, 378.
Bliss, John, bond given to, 123, 124; mentioned, 59, 129, 130; record of trial of, 129.
Bollan, William, mentioned, 144, 149, 172, 221, 472; petition by about Massachusetts boundary, 343,
Boneta, mentioned, 28.
Bonilla, Manuel de, mentioned, 523.
Bontecou, Timothy, Jr., document signed by, 60.
Book described, 29; mentioned, 218.

Boston, document addressed to, 253; document dated at, 229, 242, 250; letter addressed to, 471; letters dated at, 76, 79, 104, 274, 374, 394, 413, 475, 478, 496, 497, 505, 511, 513; mentioned, 29, 30, 43, 76, 88, 89, 105, 126, 133, 158, 159, 161. 171, 173, 195, 223, 240, 241, 244, 247, 250, 263, 264, 269, 275, 323, 327, 366, 376, 380, 381, 389, 398, 413, 426, 440, 462, 464, 467, 500, 514; town house in burned, 471.

Boundary line controversy with Massachusetts, act of Massachusetts concerning, 514; amount of land in Connecticut granted by Massachusetts, 325, 327, 331; attorneys' opinion concerning, 488; committee appointed to state case of, 88; committee appointed to settle, 79; committees to meet to discuss, 124, 126, 149; discussed, 7, 19, 43, 196, 323, 324, 334, 380, 389, 429, 496, 497, 498, 500, 501, 503, 505, 506, 507, 511, 512, 515; evidence about desired, 135, 236; detailed account of, 8, 172, 176, 324, 334, 343, 483; mentioned, 6, 18, 34, 67, 74, 77, 85, 89, 159, 234, 252, 403, 420, 444, 520; questions for attorneys about, 483; report of committees about, 162; state of case respecting, 8.

Boundary line controversy between Massachusetts and Rhode Island, committee to settle appointed, 77, 78, 80; committees to settle to meet, 124, 126, 149; discussed, 46, 78; mentioned, 6, 27, 515; report of committee about, 162.

Boundary line controversy between Massachusetts and New York, mentioned, 374.

Bours, Peter, letter written by, 314; mentioned, 49.

Bradford, Capt., mentioned, 398.

Bradley, R., document signed by, 488.

Bramwell, Sarah, confession of, 393.

Branford, mentioned, 482.

Breed, Gershom, bill of exchange bought by, 194.

Brenton, Mr., mentioned, 454, 455.

Brewster, Elisha, document signed by, 62.

Brinsmaid, Rev. Daniel, attends consociation meeting, 183.

Brintnall, William, letter signed by, 368.

Bristol, mentioned, 45, 243, 244, 482.

Brown, James, letter written by, 520; mentioned, 7, 504.

Buckingham, J., document signed by, 167.

Buckinghamshire, Earl of, at meeting of Council, 151.

Budge Row, letters dated at, 117, 118.

Bulfinch, Beelgood, bill of, 195.

Bulkley, John, document signed by, 212; letter written by, 227; mentioned, 210, 212, 287, 289.

Bull, Capt., mentioned, 91.

Burboon, John, document signed by, 229.

Burnham, Elisha, document signed by, 62.

Burnham, Capt. Michael, document signed by, 62,; mentioned, 461, 465.

Burr, Capt., mentioned, 170.
Burr, Mr., mentioned, 30.
Burr, Aaron, mentioned, 375, 376.
Byrom river, mentioned, 438.

Cable, William, document signed by, 60.
Cadiz, letters dated at, 241, 249; mentioned, 199, 204, 205, 249, 254, 277, 279, 280, 312, 364, 374, 381, 382, 383, 424, 432, 433.
Cahill (Cahail), Capt. Edward, mentioned, 250, 276.
Calendar, acts of parliament for correcting received, 162.
Campbell, Capt., mentioned, 114.
Campbell, Mr., mentioned, 307.
Canaan, mentioned, 25, 72, 98, 160, 183, 302, 439, 440, 473.
Canada, Intended expedition against, account of preparations made for, 460; captives redeemed from, 467; directions about arms left from, 413; disposal of arms and military stores from, 311; expenses in—action taken regarding, 497, charge for discussed, 466, claim for much abated, 521, deductions from pay for enumerated, 51; furloughs to troops for mentioned, 18; mentioned, 72, 468; number of arms remaining from, 421; payment of expenses in—deficiency in mentioned, 85, difficulties about discussed, 491, efforts for securing mentioned, 84, further mentioned, 50, likely to be received, 18, made for cost of arms and clothing, 36, petition made for grant of, 472, soon to be made, 521, to be used for redeeming paper currency, 490; status of troops for discussed, 469; troops for about to be discharged, 466.
Canajoharie, mentioned, 159,
Canfield, Dea. Samuel, attends consociation meeting, 183; mentioned, 184.
Canfield, Rev. Thomas, attends consociation meeting, 183.
Capawock island, 346.
Cape Breton expedition, amount received for expenses of, 191; difficulty over receiving payment of expenses of, 490; grant made for expenses of, 472; mentioned, 63, 72, 99, 168, 302, 473; payment for expenses of expected, 466; payment for expenses of mentioned, 40, 472; payment for expenses of to be used in redeeming paper currency, 490; payment for expenses of soon to be made, 521, 522.
Cape Cod, mentioned, 346.
Cape Malabar, mentioned, 346.
Captives, arrival of those redeemed mentioned, 467.
Caracas, mentioned, 495.
Cardoso, Aaron, mentioned, 293, 294, 298.
Cardozo (Cordoza), Abraham, documents signed by, 201, 206, 212; mentioned, 212, 289, 298.
Cargo of Spanish snow, list of articles comprising, 278.

Carolina, mentioned, 201, 440.
Carthagena, mentioned, 495.
Cary, Capt., mentioned, 365.
Cases, mentioned, 454.
Castle, mentioned, 239.
Castle William, mentioned, 413.
Castro, Antonio, mentioned, 277, 298.
Certificate about money carried away from the Spaniards, 523.
Champion, see Storke & Champion.
Chandler, Col. mentioned, 126.
Chandler, John, letters written by, 380, 429, 431.
Chandler, Joshua, document signed by, 60.
Chapman, mentioned, 239.
Charles I, King, mentioned, 8, 163, 172, 324, 334, 343, 344, 483, 508.
Charles II, King, mentioned, 9, 25, 163, 173, 325, 326, 335, 336, 345, 347 348, 430, 483.
Charles river, mentioned, 6, 8, 27, 46, 67, 88, 135, 149, 163, 164, 165, 166, 172, 173, 174, 175, 176, 177, 178, 324, 325, 326, 328, 330, 331, 333, 334, 335, 336, 340, 344, 347, 501, 508.
Charter House, letter dated at, 108.
Chauncey, Elihu, document signed by, 507.
Cheenoontawanee, mentioned, 161.
Chester, John, document signed by, 101.
Chew, Joseph, mentioned, 200, 322, 383.
Cholmondeley, Earl of, at meeting of Council, 151.
Church, James, bill of exchange bought by, 193.
Church, Capt. James, mentioned, 51.
Church of England, troubles and oppressions of professors of described, 55, 58, 108, 116, 118, 122, 127, 130, 145, 148, 263, 316, 517.
Cherdon, Peter, mentioned, 241, 242.
Clark, Maj., mentioned, 230, 365.
Clinton, Gov. George, certification by, 276; documents signed by, 257, 276; letters written by, 22, 52, 90, 240, 377; letters written to, 94, 251; mentioned, 463, 464, 471, 473.
Cock pit, mentioned, 114, 118.
Coffee, act of parliament for encouraging growth of received, 162.
Coffin, Nathan, bill of exchange bought by, 193.
Coffin, Nathaniel, bill of exchange bought by, 194.
Coggeshall, Freegift, document signed by, 60.
Cohabit, mentioned, 118.
Cohasset, mentioned, 12, 13, 338.
Coit, Capt. Daniel, letters written to, 413, 423.
Coit, Joseph, bill of exchange bought by, 195; mentioned, 285.
Coin, value of paper money in, 315.
Colchester, letter dated at, 227; number of settlers in, 239.

College of New Jersey, permission sought for a lottery for, 375, 376.
Collens, Rev. Timothy, attends consociation meeting, 183; mentioned, 184.
Colton, Jonathan, actions of described, 56; documents signed by, 123, 129; desires holy orders, 55, 127, 128; mentioned, 59, 122, 124, 130.
Comayagua, mentioned, 496.
Commissioners for trade and plantations, acknowledgment of royal care of the colony to be sent to, 167; letter written by, 150; letters written to, 25, 74, 155, 182, 217, 400; memorial addressed to, 36; to take care for welfare of American colonies, 151, 155, 157.
Committee of Council, report of, 135.
Conant, Shuball, mentioned, 316.
Connecticut, account of efforts, troubles and expenditures of, 72; account of investment of funds of in England, 42; asks that no further grant be made for carrying on Mohegan case, 5; boundaries of stated, 25; early settlement of described, 25; favorable notice of entreated, 218; letters written to, 28, 32, 45, 81, 100, 150, 161, 243, 311, 515; list of funds in treasury of, 102; mentioned, 48; no survey of has been made, 25; reasons in behalf of, 302; thanks for royal care of, 182; trade of discussed, 98; see Boundary line controversy with Massachusetts, General Assembly, Governor and Council.
Connecticut committee on Massachusetts boundary, letter written by, 135; report of, 162.
Connecticut equivalent lands, quantity and location of, 11, 13, 174, 177, 329, 330, 338, 339, 353, 354, 485, 486, 502.
Connecticut river, mentioned, 8, 11, 12, 25, 33, 172, 177, 325, 326, 330 331, 335, 336, 338, 342, 348, 350, 429, 475, 483, 485, 486, 487.
Connecticut vessels, list of those registered, 481.
Consociation of Litchfield county, proceedings of meeting of, 183.
Contrecceur, document signed by, 439.
Cooke, Samuel, document signed by, 60.
Cootsaugaunee Indians, mentioned, 159.
Copp, Mr., recommended for holy orders, 517.
Corne, Capt., mentioned, 112.
Cornish, James, mentioned, 352.
Cornwall, mentioned, 183.
Cornwallis, Lord, at meeting of Council, 151.
Council, see Committee of Council, King in Council.
Counterfeit bills, passer of captured, 438.
Court of Vice Admiralty, appointment of officials for—mentioned, 236, requested, 232, 379; held, 226; to be held, 200.
Cowley, Joseph, document signed by, 201, 206; letter written by, 304; mentioned, 211, 212, 289,
Coy, Josiah, document signed by, 406,
Criminal, account of in jail, 391.

Crocker, Jabez, mentioned, 224, 233.
Crown Point, mentioned, 462, 469; proposed expedition against mentioned, 463; soldiers sent to by Massachusetts, 468.
Cuba, mentioned, 277, 382.
Cumana, province of mentioned, 496.
Curtiss, Dea. Daniel, attends consociation meeting, 183.
Cuyler, Henry, Jr., mentioned, 241, 255, 290, 292, 293, 294, 297, 364, 368, 378, 383, 416, 432; see Cuyler & Lane.
Cuyler & Lane (Lane & Cuyler), mentioned, 245, 251, 253, 254, 255, 256, 258, 265, 267, 275, 319, 320, 322, 396, 411, 416; power of attorney held by, 246.

D'Arcy, Robert, sketch of, 100.
Darling & Whiting, bills of exchange bought by, 193, 195; document signed by, 60; see Whiting & Darling.
Day, Aaron, document signed by, 60.
Dean, John, mentioned, 75.
Dean, William, mentioned, 75.
Deerfield, mentioned, 471.
"Defense" sloop, mentioned, 247, 461; sent on a cruise, 465; service by described, 72.
DeLancey, James, letters written by, 399, 401, 437, 441; letter written to, 438.
Denison, John, bill of exchange bought by, 193.
Denmark, mentioned, 403.
Deputy Governor, salary of discussed, 449, 453.
Dinwiddie, Gov. Robert, mentioned, 399, 438.
"Dolphin" brigantine, mentioned, 481.
"Dolphin" sloop, mentioned, 482.
Domingo, Capt., mentioned, 204.
Domingo, mentioned, 495.
Dorset, Duke of, mentioned, 85, 134.
Downs, The, mentioned, 42.
Drummond, Messrs., mentioned, 103.
Dudley, Gov. Joseph, commissioner in Mohegan case, 3; mentioned, 239.
Dueno, Manuel de, document signed by, 206; examination of, 206.
Duer, Capt. Andrew, mentioned, 249.
Duncan, Thomas, mentioned, 229.
Dunk, George Montagu, letter written by, 150; see Halifax.
Dupplin, letter written by, 150.
Durfey, Capt. Richard, mentioned, 121, 198, 199, 222, 224, 244, 265, 269, 272, 274, 290, 293, 299, 319, 372, 438.
Dutch, mentioned, 25, 160.
Dwight, Joseph, mentioned, 107.
Dwight, Timothy, mentioned, 514,
Dyar, Eliphalet, bill of exchange bought by, 192.

East Haddam, mentioned, 108.
East Indies, men of war about to sail for, 427.
East Middletown, mentioned, 108.
Education of Indian children, described, 105, 106.
Edwards, Daniel, letter written by, 398; mentioned, 180.
Election of governor and deputy governor, discussion about method of, 479.
Eliot, Mr., mentioned, 396.
Eliot, Rev., mentioned, 454.
Eliot, Aaron, mentioned, 75.
Eliot, Jared, mentioned, 75.
Eliot, John, mentioned, 353, 383.
Eliot & Thompson, document signed by, 60.
"Elizabeth" sloop, mentioned, 482.
"Elizabeth and Mary" schooner, mentioned, 481.
Elizabethtown, letters dated at, 375, 376.
Ely, Mr., mentioned, 31.
"Endeavour" sloop, mentioned, 482.
Enfield, mentioned, 10, 11, 13, 19, 43, 173, 174, 177, 326, 329, 330, 332, 336, 337, 340, 348, 349, 350, 351, 354, 356, 358, 359, 429, 483, 484, 485, 486, 496, 497, 498, 508, 509, 511, 514.
England, mentioned, 30, 64, 142, 160, 176, 240, 279, 317, 401, 403, 450, 451, 452, 472.
English, Mr., mentioned, 431, 432.
English boats, theft by from Spaniards described, 28.
English settlements in Ohio valley, protest against by French, 439.
Enno, mentioned, 460.
Ensanada, Marquis de la, letter written by, 492.
Extradition of a prisoner, requested, 438.

Fairfield, mentioned, 482.
Fallet, Charles, mentioned, 288.
Falmouth, mentioned, 500.
Fane, Francis, letter written by, 150.
Filer, mentioned, 60.
Fitch, Jabez, documents signed by, 109, 110.
Fitch, Samuel, mentioned, 264, 291, 295, 296, 298, 308, 320, 321, 384, 411, 416.
Fitch, Col. and Dep. Gov. Thomas, documents signed by, 109, 110, 167, 212; letters written by, 7, 406; letters written to, 403, 503; mentioned, 8, 76, 77, 88, 209, 212, 287, 289, 491, 523.
Five Nations of Indians, building of forts in country of discussed, 442.
Fleming, Lieut. Gen. Gilbert, mentioned, 31.
Florida, gulf of mentioned, 207.
Fones, Capt., mentioned, 43, 51.
Ford, Jacob, document signed by, 58.

Forester, Mr., mentioned, 115, 120.
Forges, list of in Connecticut, 74.
Fort George, documents dated at, 251, 276; letters dated at, 22, 52, 240.
Fort Massachusetts, mentioned, 476.
Forts, building of on frontiers discussed, 441, 442.
Fowler, Mr., mentioned, 459, 460.
Fowler, John, documents signed by, 109, 110, 167, 507; letter signed by, 400.
Fowler, Joseph, document signed by, 507; letter written by, 398.
France, mentioned, 24, 38, 295, 302.
Franco, Jacob, mentioned, 427,
French, mentioned, 22, 23, 24, 25, 37, 72, 98, 104, 160, 161, 402, 403, 428, 436, 437, 443; trade with forbidden, 474.
French and Indians, activities of along the frontiers described, 475, 476, 478; war with likely soon to cease, 478; see Canada, Intended expedition against.
French fleet, arrival of mentioned, 462; mentioned, 427.
French protest, against English settlement in Ohio valley, 439.
French sugar colonies, mentioned, 37, 38, 39; see Sugar colonies.
Frontiers, activities of French and Indians along mentioned, 475.

Gale, Rev. Benjamin, mentioned, 75.
Galloway, Capt., mentioned, 255, 256.
Gardener, mentioned, 239.
Gardiner, James, mentioned, 281, 282, 283, 300,
General Assembly, address to, 449; letter written to, 497; speech to, 450, 453, 455, 460, 463, 466, 471, 478, 490, 521; petition to, 381; questions asked by, 395; reports of committees of, 101, 109, 110, 167, 507; see also Connecticut.
George I, King, mentioned, 235.
George II, King, mentioned, 58, 295.
George, Prince, created Prince of Wales, 53; mentioned, 49.
Georgia, mentioned, 201.
Gibbs, Robert, mentioned, 234, 236.
Gibbs, Rev. William, mentioned, 108.
Gibson, John, mentioned, 230.
Gold, Dep. Gov. Nathan, mentioned, 453.
Gold and silver in treasurer's hands, amount of, 102.
Goodwin, Daniel, bills of exchange bought by, 192, 193, 194; document signed by, 62; mentioned, 85.
Goodwin, Thomas, bills of exchange bought by, 192, 194; document signed by, 62; mentioned, 86.
Gookins, Capt., mentioned, 507.
Goshen, mentioned, 183.
Governor, increase in duties of mentioned, 465.
Governor and Council, letter written to, 200.

Graham, Rev. John, attends consociation meeting, 183; document signed by, 183; mentioned, 184.
Grant, Alexander, mentioned, 103.
Granville (Grenville), James, Earl of, letter written by, 150; letter written to, 1; mentioned, 35, 85, 115, 134.
Graves, Rev. Matthew, letters written by, 55, 121, 127, 373, 391, 517; letters written to, 59, 148; mentioned, 59, 393; testimony against, 58, 59.
Gray, Samuel, bill of exchange bought by, 194.
Great Britain, mentioned, 6, 24, 36, 37, 38, 39, 60, 95, 98, 99, 111, 137, 182, 240, 257, 295, 378, 417, 435.
Greene, Gov. William, letters written by, 27, 46, 78, 515; letters written to, 6, 67, 124, 125, 127, 149, 465.
Greenman, Rev. Nehemiah, letter written by, 29.
Greenwich, mentioned, 481, 482.
Groton, letter dated, 108; mentioned, 75, 119; see also North Groton.
Guatemala, mentioned, 279, 381.
Guilford, mentioned, 108, 117, 118, 481, 482.
Guy's Hospital, letters dated at, 40, 91, 102, 187, 190, 262.

Haddam, mentioned, 481.
Hague, mentioned, 100.
Halifax, Countess of, death of mentioned, 403.
Halifax, Earl of, letter written by, 150; mentioned, 181.
Halifax, mentioned, 403, 413.
Hall, Benjamin, document signed by, 507.
Hall, Capt. Elihu, bill of exchange bought by, 193; letter written by, 114, mentioned, 95, 99, 114, 132, 170, 172, 220.
Hall, Rev. Samuel, mentioned, 455.
Hall, see Mansfield & Hall.
Hamlin, Jabez, bill of exchange bought by, 194; document signed by, 167.
Hamilton, James, letter written to, 435.
Hampshire, mentioned, 119.
Hampshire county, mentioned, 72, 340, 464, 475, 476, 502, 508; soldiers sent to, 471.
"Hampshire" sloop, mentioned, 482.
Hannibal, mentioned, 402.
Hanover, mentioned, 134, 197, 218; see South Hanover.
Harcourt, Earl of, at meeting of Council, 151.
Harpin, Jean, document signed by, 60.
Harris, Henry, mentioned, 165.
Harrison, Capt. Joseph, letter written by, 79; letter written to, 88; mentioned, 46, 67, 77, 78, 80, 125, 126, 127, 135, 165, 236.

Hartford, documents dated at, 101, 162, 167; letters dated at, 169, 398, 406, 460; journey to described, 429; mentioned, 25, 62, 77, 125, 126, 135, 163, 226, 235, 270, 289, 292, 311, 325, 335, 368, 380, 430, 431, 461, 464, 481, 482, 516, 520.
Hartford county, mentioned, 33, 129, 380.
Hartford county merchants, memorial signed by, 62; reasons for supporting memorial of, 64.
Harwinton, mentioned, 183.
Hatch, Timothy, attends consociation meeting, 183.
Hatfield, letter dated at, 476.
Hatteras cape, mentioned, 28.
Havana, mentioned, 28, 204, 210, 242, 254, 268, 277, 382, 495.
Hawke, Admiral Edward, mentioned, 427.
Hawks, Francis L. mentioned, 108.
Hazard, Mr., mentioned, 30.
Heaton, Rev. Stephen, attends consociation meeting, 183.
Hebron, documents dated at 58, 59, 129; letter dated at, 59; mentioned, 55, 56, 57, 58, 59, 122, 123, 129, 130, 432.
Henchman, Dan, attestation of documents by, 242, 250.
Hepbourn, mentioned, 96.
Hepburn, Maj., mentioned, 230.
Hill, Thomas, letters written by, 81, 161, 243; mentioned, 217, 400, 522.
Hinman, Timothy, bill of exchange bought by, 193.
His majesty's woods, see Woods.
Hispaniola, mentioned, 37, 495.
Holbrook, Mr., mentioned, 505.
Holderness, Earl of, at meeting of Council, 151; letters written by, 100, 154, 155, 311; letter written to, 169; mentioned, 85, 134, 189, 248, 399, 401, 413, 421, 443; sketch of, 100.
Holland, Edward, certification by, 301; document signed by, 301; his authority guaranteed, 277.
Hollibert, Capt., mentioned, 474.
Hollis, Mr., mentioned, 105, 106, 107.
Holliston, mentioned, 165.
Honduras, mentioned, 242, 381, 382, 496.
Honeyman, James, mentioned, 123.
Hooker, Capt. Joseph, attends consociation meeting, 183.
Hooker, Nabbe, mentioned, 31.
Hooker, Nathaniel, bill of exchange bought by, 194.
Hopkins, Judge Stephen, document signed by, 162; letters written by, 77, 234; letter written to, 236; mentioned, 78, 79, 80, 125.
Horsmanden, Daniel, mentioned, 171, 220.
Horton, Eben., mentioned, 56.
Howell, see Alling & Howell.
Hubbard, John, document signed by, 167.
Hubbard, William, document signed by, 60.

Hughes, Samuel, document signed by, 229.
Hull, Joseph, letters written by, 200, 225, 244, 266, 311, 361; letters written to, 214, 216, 264, 273, 305, 368; mentioned, 209, 224, 228, 254, 258, 266, 271, 272, 276, 286, 287, 291, 293, 294, 295, 296, 297, 298, 299, 370, 371, 382, 383, 384, 385, 386, 388.
"Humbard" sloop, mentioned, 481.
Huntington, Daniel, mentioned, 144.
Huntington, Col. Hezekiah, bills of exchange bought by, 193, 194; document signed by, 212; mentioned, 209, 212, 287, 289, 404, 407, 465.
Huntington, Isaac, bill of exchange bought by, 193.
Huntington, Jabez, bills of exchange bought by, 47, 192, 195; bill of exchange paid to, 83.
Hussey, Capt., mentioned, 88, 89.
Hutchinson, Edward, letter written to, 459.
Hutchinson, Jonathan, document signed by, 167.
Hutchinson, Thomas, mentioned, 514.

Illicit trade, mentioned, 252.
India, mentioned, 42.
Indians, building forts to protect against discussed, 441, 442; conference with — proposed, 437, mentioned, 438, to make peace proposed, 500; discuss making war on the French, 160; incroachments by described, 437; interpreter named, 106; massacre by, 160; meeting with mentioned, 90; mentioned, 98, 428, 436, 460; proceedings of a council of described, 159; sum voted to be expended for benefit of, 180; trouble with mentioned, 72, 401; see Cootsaugaunee, Five Nations, Iroquois, Mohawk, Missesaugee, Nipissing, Norridgewalk, Otawwaundy, Owaneco, Poxen, Pequot, Penobscott, St. Francois, Six Nations, Taweetauwee, Toto, Uncas.
Investments of colony funds, list of securities bought, 100, 112; sale of securities mentioned, 82, 83, 90.
Ireland, mentioned, 60, 85, 230, 295.
Iron, act of parliament to encourage importation of from and prevent working of in the colonies received, 522.
Iron works, list of, 74.
Iroquois Indians, mentioned, 440.
Irreligious persons and their doings, described, 55.
Isaacs, Ralph, bills of exchange bought by, 192, 194; mentioned, 86.
Isles of Shoals, mentioned, 346.
Italy, mentioned, 402.

Jack's brook, mentioned, 165, 331.
Jail, account of a criminal in, 391.
Jamaica, mentioned, 230, 252, 365, 452.

James I, King, mentioned, 343.
James, Henry, mentioned, 481.
Jeffrey, John, mentioned, 288.
Jersey, Earl of, at meeting of Council, 151.
Jew, mentioned, 275, 304.
Johnson, Samuel, mentioned, 379.
Johnson, Col. William, mentioned, 161.
Jones, Timothy, bill of exchange bought by, 303; document signed by, 60.
"Joseph & Mary" sloop, mentioned, 482.
Judea, mentioned, 183.

Keene, Mr., mentioned, 32.
Kellogg, Capt. Martin, letter written by, 159; mentioned, 107.
Kent, mentioned, 183.
Kettle brook, mentioned, 33, 172, 325, 335, 336.
Key, Nathaniel, counterfeit bills passed by, 438; mentioned, 439.
Kilby, C. mentioned, 230.
Killingly, mentioned, 239.
Killingworth, mentioned, 74, 481, 482.
King, Capt., mentioned, 474.
King in Council, petition addressed to 3; order of, 53; report of, 139.
Knowles, Commodore, Admiral and Gov. Charles, mentioned, 469.

Lake of two mountains, mentioned, 440.
Land titles, validity of discussed, 451.
Lane, Henry, letters written by, 367, 370; mentioned, 241, 275, 290, 292, 293, 294, 297, 308, 364, 366, 368, 378, 383, 384, 385, 387, 411, 412, 414, 416, 417, 418, 423, 424, 425, 426, 432, 433, 434; see Cuyler & Lane.
Lane, Thomas, letters written by, 86, 91; mentioned, 68.
"Larke" sloop, mentioned, 481.
Lattouch, Mr., mentioned, 230.
Law, Madam, mentioned, 6.
Law, Gov. Jonathan, address of to General Assembly, 449; death of mentioned, 18; declines agency to Great Britain, 450; documents signed by, 453, 466, 490, 517; letters written by, 455, 468, 496, 499, 501, 503, 506, 512, 515; letters written to, 454, 496, 500, 505, 513, 520; mentioned, 8, 26, 34, 36, 40, 70, 76, 91, 102, 171, 190, 192, 497, 511; speeches of to General Assembly, 450, 453, 455, 460, 463, 466, 471, 478, 490, 521.
Lawrence, John, document signed by, 62.
Laws, approving revision of considered, 491; book of sent to England, 217.
Leavern, Mr., mentioned, 505.

Lebanon, letters addressed to, 50, 431; letter dated at, 431; mentioned, 47.
Ledyard (Lediard), John, bills of exchange bought by, 192, 194, 195; document signed by, 62; mentioned, 86, 90, 191.
Lee, Lord Chief Justice, mentioned, 443.
Lee, Sir George, at meeting of Council, 151.
Lee, Rev. Jonathan, attends consociation meeting, 183.
Lee, Stephen, documents signed, 109, 110.
Leeward Isles, mentioned, 31.
Leffingwell, mentioned, 239.
LeMercier, Capt. and chevalier, mentioned, 439, 441.
Lemons, mentioned, 199.
Leon, mentioned, 495.
Lestock, Admiral, mentioned, 461.
Letters of marque, granting of discussed, 474.
Levaraerux, mentioned, 201.
Levitt, Mr., mentioned, 504.
Ligonier, Sir John, at meeting of Council, 151.
Linares, Juan Antonio, mentioned, 277, 298.
Lincoln's Inn square, mentioned, 3.
List of bills of exchange, 191.
List of merchandise received by G. Saltonstall, 199.
Litchfield, mentioned, 183.
Litchfield county consociation, record of meeting of, 183.
Little Compton, mentioned, 507.
Lloyd, Mr., mentioned, 434.
London, documents dated at, 3, 253, 493; letters addressed to, 169; letters dated at, 1, 34, 41, 44, 47, 48, 50, 53, 82, 86, 89, 91, 95, 100, 112, 114, 132, 158, 170, 181, 189, 195, 230, 243, 244, 251, 260, 264, 303, 365, 389, 397, 426; mentioned, 70, 82, 84, 97, 105, 107, 114, 140, 196, 197, 203, 219, 221, 252, 259, 302, 315, 369, 376, 390, 396. 403, 419, 427, 492, 493, 503, 516, 517, 522.
"London" brigantine, mentioned, 481.
London, Bishop of, letters written to, 55, 127, 517; mentioned, 145.
Long Island, mentioned, 465.
Long meadow brook, mentioned, 33, 173, 326, 335.
Lookout cape, mentioned, 28.
Lorenzo, Dr., mentioned, 199.
Lothrop, D. & I., bill of exchange bought by, 303.
Lothrop, Dr. Daniel, bills of exchange bought by, 47, 192, 193, 194; bill of exchange paid to, 83; document signed by, 62; mentioned, 40, 49, 54, 83, 87.
Lothrop, Joshua, bill of exchange bought by, 194; document signed by, 62.
Lothrop, Simon, bill of exchange bought by, 193.
Lott, Abraham, signed by, 442.

Lottery, permission for sought, 375, 377.
Louisburg, account of capture of, 436; amount received in payment for expences of expedition against, 191; expedition against mentioned, 302; mentioned, 40, 86, 472; summary of bills drawn against money received in payment for expences of expedition against, 237; see Cape Breton.
"Lucy" sloop, mentioned, 481.
Lumber, assize of mentioned, 31.
"Lydia & Mary" sloop, mentioned, 482.
Lyman, Lieut., mentioned, 101.
Lyman, Daniel, bill of exchange bought by, 193; document signed by, 60.
Lyman, Dea. Ebenezer, attends consociation meeting, 183.
Lyman, Elihu, bill of exchange bought by, 193: document signed by, 60.
Lyman, Medad, document signed by, 60.
Lyman, Maj. Phineas, letters written by, 398, 500; letter written to, 77, mentioned, 7, 8, 67, 79, 80, 88, 124, 125, 126, 127, 149, 234, 407, 504, 520.
Lyme, mentioned, 482; number of settlers in part of, 239.
Lyndon, J., document signed by, 80.

McKenzie, Andrew, letters written by, 211, 275, 366; letters written to, 241, 249, 305, 312; mentioned, 198, 209, 215, 216, 223, 224, 281, 282, 283, 284, 304, 305, 306, 361, 368, 372, 424.
McKnight, John, document signed by, 62.
MacSparran, Rev. James, mentioned, 518.
Madrid, mentioned, 32, 278, 524.
Main, Robert & Co., mentioned, 241, 275.
Maine, mentioned, 345, 346, 347.
Man, Joseph, document signed by, 58.
Mansfield, mentioned, 119.
Mansfield & Hall, bill of exchange bought by, 192; document signed by, 60.
Maracaybo, letter written to officials of, 492; mentioned, 495.
Margarita, Island of, mentioned, 495.
Marquez (Manquez), Joseph, mentioned, 395, 397, 418, 419.
Marsh, Rev. Cyrus, attends consociation meeting, 183.
Marsh, Maj. Eben, attends consociation meeting, 183.
Marshall, Joseph, document signed by, 60.
"Martha & Elizabeth" sloop, mentioned, 481.
Martha's Vineyard, mentioned, 465.
Martinez, John Sanz de, mentioned, 278.
Mary, Queen, mentioned, 345.
"Mary" sloop, mentioned, 481, 482.

Maryland, mentioned, 197, 230.
Mason, Capt. John, mentioned, 3.
Mason, Samuel, mentioned, 2, 4, 5, 19, 21, 34, 48, 68, 73, 84, 89, 99, 101, 113, 114, 115, 117, 118, 120, 132, 136, 137, 142, 143, 144, 145, 167, 171, 189, 195, 219, 220, 221, 238, 239, 243. 252, 259, 260, 262, 314, 323, 365, 389, 390, 403, 420, 426, 444, 458, 464, 467, 472; petition of, 140; see Mohegan case.
Mason's court, letter dated at, 2.
Massachusetts, action of General Court of, 105; debt due from mentioned, 523; desires to trade with Connecticut, 374; letter written by General Court of, 497; letter written to General Court of, 43; mentioned, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 17, 20, 25, 27, 34, 43, 45, 48, 79, 82, 105, 159, 162, 163, 165, 166, 172, 173, 174, 175, 176, 177, 178, 197, 253, 263, 311, 317, 325, 326, 327, 328, 329, 330, 331, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 345, 346, 347, 348, 349, 350, 351, 353, 354, 355, 356, 357, 358, 359, 360, 437, 472, 483, 484, 485, 486, 487, 488, 489, 499, 500, 501, 502, 503, 504, 510, 511; records of reported burned, 471; troops sent for protection of, 474; vote of General Court of, 514; see Boundary line controversy, Willard.
Massachusetts bay, mentioned, 344, 345.
Medfield, mentioned, 165.
Men of war, fleet of about to sail, 427.
Merchants, memorials of about trade and depreciation of paper currency, 60, 62.
"Mercy & Mary" sloop, mentioned, 482.
Merrimack river, mentioned, 324, 331, 334, 344, 345, 346, 475.
Merriman, Samuel, mentioned, 379.
Mesnard, Capt., mentioned, 231.
"Michael" sloop, mentioned, 482.
Michell, Mons., mentioned, 243, 400.
Middletown, letter dated at, 187; mentioned, 108, 232, 310, 481, 482; see East Middletown.
Milford, letter addressed to, 455; letters dated at, 455, 468, 496, 499, 501 503, 506, 512, 515; mentioned, 481, 482.
Mill brook, mentioned, 165.
Miller, Capt., mentioned, 233.
Miller, Mr., mentioned, 443.
Miller, Jeremiah, bond of, 214; documents signed by, 214, 507; letter written to, 413.
Minas, misfortune at mentioned, 464.
Miner, Clement, bill of exchange bought by, 193.
Minor, Col. Joseph, attends consociation meeting, 183.
Missesaugee Indians, mentioned, 159.
Mississippi, mentioned, 98.
Mohawk Indians, mentioned, 159, 161; provision for education of children of, 106.

Mohegan case, account of, 219, 220; account of efforts to reopen, 113, 132; account of sums already expended in and estimate of amount necessary to continue, 140; book of evidence about received in London, 189, 220; colony's view of, 115; discussed, 21, 48, 171; efforts being made to reopen. 195; efforts in noted, 426; evidence given in discussed, 238; mentioned, 2, 19, 68, 73, 84, 89, 101, 117, 118, 159, 167, 170, 238, 243, 252, 259, 260, 262, 303, 314, 323, 365, 389, 420, 444, 464, 472; motion in about grant of money, 120; number of settlers on lands in controversy, 21; papers desired for wanting, 114, 115; petition to king concerning, 3; previous decisions of recounted, 3; proceedings concerning, 34; review of previous proceedings in, 136, 139, 140.
Mohegan Indians, mentioned, 2, 3, 5, 34, 113, 117, 118, 136. 140, 142, 143, 144, 159, 219, 239, 303, 325, 365, 389; number of on lands in controversy, 21; number of settlers on lands claimed for, 239.
Molasses, duty on mentioned, 197; see Sugar.
Molasses and sugar act, mentioned, 170, 259, 261.
Money, account of theft of from Spainards; value in of articles shipped in cargo from West Indies, 279; see Coin, Gold, New York money, Paper currency.
Monis, J., documents signed by, 242, 250.
Monongahela river, mentioned, 439.
Montauk, mentioned, 465.
Montgomery, Mr., mentioned, 403.
Montgomery, Robert, letter signed by, 368.
Montreal, mentioned, 440.
Morley, Alexander, document signed by, 62.
Morris, Col., Judge and Chief Justice Lewis, letters written by, 200, 226; letter written to, 228; mentioned, 171, 222, 227, 229, 248, 289, 319, 322, 379, 382, 415, 419.
Morrison, Norman, bill of exchange bought by, 193.
Mortimer, Philip, document signed by, 62.
Moseley, Dea. Increase, attends consociation meeting, 183.
Mosley, Alexander, document signed by, 62.
Mumford, Capt., mentioned, 49.
Murfey, mentioned, 187.
Murray, Mr., mentioned, 143.

Nantucket island, mentioned, 346.
Narragansett country, mentioned, 346.
Narragansett river, mentioned, 347.
Naval stores, act of parliament for continuing premiums on received, 81, 84, 162.
"Nebuchadnezzar" ship, mentioned, 297, 364, 368, 371, 373, 374, 383, 385, 386, 387, 396, 398, 407, 410, 414, 416, 432, 433; part of cargo taken on board of, 367.

Nevins, David, bill of exchange bought by, 193.
Newberry (Newbury), Elizabeth, account of payments to by War office, 244; letter written to, 244; mentioned, 230, 264, 265; money due her and method by which it may be obtained, 95.
Newberry (Newbury), Capt. Roger, his death and disposition of his effects discussed, 230; mentioned, 95.
Newbury, Capt. John, mentioned, 96.
Newcastle, Duke of, at meeting of Council, 151; mentioned, 143, 243, 389, 400, 420, 426, 443, 445, 460, 462, 464, 466.
Newcomb, Benjamin, attends consociation meeting, 183.
New England, grant made for expences of troops of, 472; mentioned, 28, 29, 68, 72, 91, 99, 119, 143, 147, 302, 402, 436, 472; population of stated, 1.
New England coffee house, mentioned, 115,
New England regiments, mentioned, 51.
New Hampshire, mentioned, 13, 17, 45, 48, 65, 82, 174, 232, 233, 313, 330, 331, 334, 338, 486, 500, 507, 509.
New Haven, documents dated at, 60, 109, 110, 381; letter addressed to, 108; letter dated at, 394; New Haven mentioned, 101, 110, 253, 255, 375, 377, 378, 380, 381, 383, 407, 464, 481, 482.
New Haven county merchants, memorial signed by, 60.
Newichwannock river, mentioned, 346.
New Jersey, mentioned, 4, 140, 444; see College of New Jersey.
New London, battery at mentioned, 458; documents dated at, 195, 201, 203, 205, 206, 212; letters addressed to, 31, 216, 305, 312; letters dated at, 55, 121, 127, 198, 200, 213, 214, 215, 222, 224, 225, 226, 233, 244, 245, 253, 258, 265, 266, 275, 311, 361, 362, 366, 367, 373, 391, 402, 407, 422, 517; letter to civil authority of, 413, mentioned, 21, 55, 58, 75, 84, 170, 200, 203, 204, 205, 206, 207, 208, 209, 210, 212, 214, 216, 217, 227, 229, 240, 242, 248, 249, 250, 256, 257, 262, 264, 270, 271, 272, 280, 283, 284, 286, 287, 288, 289, 290, 291, 292, 293, 295, 296, 297, 298, 299, 300, 305, 306, 307, 312, 318, 319, 320, 321, 364, 368, 369, 370, 371, 373, 374, 382, 383, 384, 385, 386, 390, 393, 396, 411, 415, 419, 422, 432, 433, 434, 439, 444, 461, 462, 481, 482.
New London county, letter to sheriff of, 229; mentioned, 74, 75, 295, 387.
New Milford, mentioned, 183.
Newport, letters dated at, 79, 121, 124, 125, 304, 314, 401, 515; mentioned, 121, 149, 150, 248.
New Spain, mentioned, 279, 381.
New tenor bills, mentioned, 26.
Newton & Baldwin, document signed by, 60.
New York, documents dated at, 276, 442, 488; letters dated at, 90, 200, 230, 251, 377, 399, 437, 441; mentioned, 42, 65, 72, 112, 171, 229 232, 245, 246, 247, 248, 251, 253, 254, 267, 269, 275, 277, 290, 301 319, 322, 368, 370, 372, 372, 383, 384, 386, 394, 411, 415, 416, 424 427, 431, 432, 463, 472, 473, 504, 522.

New York attorneys, opinion of concerning boundary controversy between Connecticut and Massachusetts, 488.
New York money, mentioned, 410.
New York province, mentioned, 3, 4, 25, 94, 200, 300, 364, 402, 442, 473; see Boundary line controversy.
Niantic, mentioned, 198, 221.
Nicaragua, mentioned, 495.
Nicholls, Richard, document signed by, 488.
Nipissing Indians, mentioned, 440.
Nivins, Robert, document signed by, 62.
"North" sloop, mentioned, 482.
North America, mentioned, 205, 260, 280.
Northampton, mentioned, 149.
North Carolina, mentioned, 28.
Northern colonies, illicit trade by mentioned, 252.
Northfield, mentioned, 471.
North Groton, letter dated at, 118; mentioned, 108.
Norridgewalk Indians, conference with proposed, 500.
Norton, James, document signed by, 60.
Norwalk, letters dated at, 7, 520; mentioned, 482, 483.
Norwich, mentioned, 40, 75, 115, 119, 140, 270, 272, 481.
Nova Scotia, mentioned, 345, 346, 413, 464, 469, 500.
Noyes, Thomas, letter written by, 454; letter written to, 455.
"Nuestra Senora Guadalupe" ship, theft of money from described, 523.
Number Four, attack at mentioned, 464.

Ocacock, mentioned, 523.
Ocquoshetuck, controversy over land at mentioned, 459.
Ocrecon, document dated at, 523.
Ohio river, fort to be built on, 438.
Ohio valley, French protest against English settlement in, 439.
Old tenor bills, mentioned, 26.
"Olive Branch" sloop, mentioned, 481.
Oliver, Mr., mentioned, 323.
Oliver, Capt., mentioned, 90.
Oliver, Andrew, document addressed to, 253; letters written by, 274, 394; mentioned, 252, 259, 366.
Oliver & Phillips, mentioned, 133, 134, 159.
Order in Council, copy of, 151; explanation of meaning of, 181.
Osborn, Gov. and Sir Danvers, death of mentioned, 395, 399; mentioned, 437.
Oswald, James, letter written by, 150.
Oswego (Oswagox), mentioned, 160, 161.
Otawwaundy Indians, mentioned, 159.
Owaneco, deed from mentioned, 221.

Packer, Daniel, bill of, 410; document signed by, 410.
Pain, Mr., mentioned, 459.
Paine, Benjamin, document signed by, 62.
Palmer, Eliakim, account with executors of mentioned, 18, 19, 26, 74; letter written to, 501; mentioned, 22, 171, 491, 497, 501, 503, 504, 523.
Palmer, Rev. Solomon, attends consociation meeting, 183.
Palmer, Thomas, mentioned, 523.
Palmer & Balston, letter written to, 503; see Balston & Palmer.
Paper currency, act of parliament to regulate and restrain received, 81, 84; bill to restrain issue of—action on described, 68, mentioned, 54, 71, 82, 83, 85, 89, 99, reasons against, 302; opposition to issue of by New England colonies discussed, 45, 48; possible suppression of mentioned, 504.
Paper currency of Connecticut, account of outstanding, 26; amount of outstanding, 102; arrangements for redemption of described, 40, 302, 490; counterfeiting of prevalent, 465; great depreciation of described, 60, 63, 64, 65; issue and redemption of described, 73; redemption of discussed, 50, 70, 182, 472; see New tenor bills, Old tenor bills.
Paper currency of Rhode Island, objections in parliament against mentioned, 35, 71; value of in coin, 315.
Paris, Ferd. John, mentioned, 143, 168, 171, 397.
Partridge, Capt., mentioned, 159.
Partridge, Col. Richard, appointment of as agent, 516; arms of noted, 96; bill of exchange bought by, 192; document signed by, 253; letter of agency of, 517; letters written by, 1, 2, 3, 34, 41, 44, 48, 53, 68, 82, 87, 89, 95, 100, 112, 132, 158, 167, 170, 181, 195, 230, 243, 244, 248, 251, 259, 260, 264, 303, 365, 389, 397, 426, 443; letters written to, 18, 21, 26, 33, 71, 96, 170, 172, 220, 238, 318, 323, 419, 420; mentioned, 50, 69, 70, 92, 99, 110, 113, 114, 117, 118, 136, 138, 139, 167, 168, 187, 188, 189, 190, 219, 220, 262, 274, 314, 376, 394, 401, 421, 522, 523; supposed error in account of, 111.
Patterson, John, bill of exchange bought by, 193.
Paul, Mathew, mentioned, 119.
Pearson, Mr., mentioned, 375, 376.
Pelham, Henry, death of mentioned, 443, 444; mentioned, 68, 134.
Pelton, Samuel, document signed by, 62.
Pelton, Thomas, mentioned, 75.
Penn, William, mentioned, 435.
Pennsylvania, mentioned, 189, 438, 444.
Penobscott Indians, conference with proposed, 500.
Penock, William, document signed by, 58; testimony of, 58.
Pequot Indians, mentioned, 221, 325, 335.
Perry, William S., mentioned, 108.
Peters, Andrew, signs as witness, 124.

Peters, John, document signed by, 59.
Peters, Joseph, signs as witness, 124.
Peters, Richard, attestation of copy of document by, 441.
Petesquonskut, final settlement about land at discussed, 454.
Phelps, Dea. Daniel, attends consociation meeting, 183.
Phelps, John, attestation of copy of documents by, 129, 130; mentioned, 129.
Phelps, Joseph, attestation of copy of documents by, 58, 59; mentioned, 59.
Philadelphia, document dated at, 441; mentioned, 231, 243, 303, 428, 443.
Phillips, Capt., mentioned, 55.
Phillips, George, bill of exchange bought by, 192; document signed by, 62; mentioned, 86, 190.
Phillips, see Oliver & Phillips.
Phips, Lieut. Gov. Spencer, document signed by, 514; letter written by, 475; mentioned, 500.
Piscataway harbor, mentioned, 346.
Pitkin, Maj., mentioned, 406.
Pitkin, Col. Joseph, bill of exchange bought by, 47; documents signed by, 101, 167; letter written to, 50; mentioned, 50, 54, 83, 464, 500; see Trumbull, Pitkin & Williams.
Pitts, John, mentioned, 316, 317.
Plainfield, mentioned, 75.
Plymouth colony (New Plymouth), mentioned, 174, 345, 347.
Plymouth council, mentioned, 343.
Pope, Capt., mentioned, 260, 261.
Porto Bello, mentioned, 495.
Portsmouth, documents dated at, 232, 310; letters dated at, 231, 309.
Pot and pearl ashes, act for encouraging making of received, 82, 84.
Potash, importation of mentioned, 49.
Potwine, John, document signed by, 62.
Poxon, deed from mentioned, 220.
Prayers for royal family, ordered published in the churches, 53.
Prince, Rev. Thomas, mentioned, 263.
Prisoners, redemption and exchange of mentioned, 467.
Privy Council, motion before, 120.
"Prosperity" ship, mentioned, 493.
Providence, letters dated at, 77, 234; mentioned, 80, 125.
Pruden, Rev., mentioned, 31.
Prussia, King of, mentioned, 400.
Puchol, Sebastian, document signed by, 493.
Punderson, Rev. Ebenezer, letters written by, 108, 118; letter written by described, 262; letters written to, 116, 130, 145; mentioned, 316, 317.
Punderson & Thompson, document signed by, 60.
Pynchon, Joseph, mentioned, 107.

Quakers, mentioned, 119.
Quebec, mentioned. 462.
Questions for attorneys, concerning boundary line controversy with Massachusetts, 483.

Ramsey, mentioned, 469.
"Ranger" sloop, mentioned, 481.
Reasons in behalf of Connecticut, 302.
"Rebecca" sloop, mentioned, 481.
Register of vessel, denied, 271.
Religious ecstacy, over a book, 29.
Religious troubles, described and discussed, 117, 118, 122, 127, 130, 145, 148, 263, 316, 456, 517; see Irreligious.
Rhode Island, action of General Assembly of, 80; colonial records of mentioned, 516; depreciation of bills of described, 65; mentioned, 3, 4, 6, 13, 25, 37, 45, 46, 48, 49, 50, 61, 64, 71, 78, 81, 83, 91, 96, 114, 149, 162, 163, 164, 165, 166, 170, 181, 259, 260, 261, 264, 303, 334, 346, 444, 465, 474, 507; see Boundary line controversy.
Rhode Island's committee on boundary line controversy, letter to, 135; report of 162.
Richards, Capt., 69.
Richards, Mr., 276, 311, 361.
Richards, John, mentioned, 262.
Roberts, Col., mentioned, 463.
Roberts, Rev. Nathaniel, attends consociation meeting, 183.
Robinson, Ichabod, bills of exchange bought by, 47, 192; bill of exchange paid to, 83.
Robinson, Matthew, letters written by, 77, 79, 124, 125; letter written to, 88; mentioned, 78, 79, 80.
Robinson, Sir Thomas, mentioned, 443, 444.
Romans, mentioned, 402.
Roswell, Sir Henry, mentioned, 324, 334, 343, 344, 345.
Rowlee, Nathan, document signed by, 59.
Roxbury, mentioned, 183.
Royal family, prayers for ordered, 53.
"Rubie" sloop, mentioned, 482.
Rushout, Sir John, at meeting of Council, 151.

Saffery, Solomon, mentioned, 8, 164; see Woodward & Saffery.
Sagadohok, mentioned, 346.
Sage, Mr., mentioned, 233, 234.
St. Augustin, mentioned, 495.
St. Clair, Lieut. Gen., mentioned, 461.
St. Francois Indians, conference with proposed, 500.
St. James, Court at, documents dated at, 53, 139, 151; mentioned, 138.
St. John, Joseph, bills of exchange bought by, 192, 194; mentioned, 86.

St. John, mentioned, 495.
St. John's river Indians, conference with proposed, 500.
"St. Joseph & St. Helena" snow, affair of described and discussed 198, 200, 203, 205, 206, 208, 222, 226, 227, 228, 233, 240, 242, 244, 248, 251, 253, 256, 258, 264, 266, 270, 271, 273, 275, 277, 304, 305, 307, 318, 361, 362, 364, 366, 368, 370, 377, 381, 390, 395, 398, 402, 403, 404, 405, 407, 411, 413, 419, 422, 423, 427, 432, 444; amount of salvage decreed on, 249; apparent attempt to wreck, 281; appointment of colony's agent about, 216; bills against, 195, 212; cargo of described, 248; charter desired for vessel to carry cargo of, 257; directions about, 214, 216, 305, 312, 364; examination of captain of, 201; hostilities over attempt to appraise goods from, 224, 225, 226, 228; letter from owners of, 249; list of cargo of, 381; list of chests taken from, 199; list of merchandise on board of, 278; money delivered from cargo of, 246, 254; order forbidding shipment of cargo, 368; permission to charter another ship, 373; permission to sell snow, 374; portion of cargo stolen, 402; power of attorney about, 229; ship engaged to carry cargo of, 245, 246; Spanish account of trouble over, 201; state of case of, 415; theft of portion of cargo discovered, 367; see St. Juan, Joseph Miguel de.
St. Juan, Joseph Miguel de, action of, 267; asks permission to charter vessel, 251; declaration and protestation of, 276; documents signed by, 229, 276, 381; letters written by, 213, 215, 251, 257, 362, 368, 407; letters written to, 275, 307, 364, 373, 374, 405, 411; memorial of described, 240; mentioned, 230, 242, 249, 250, 264, 265, 277, 278, 279, 280, 289, 290, 291, 292, 293, 294, 295, 296, 298, 299, 300, 305, 312, 318, 366, 367, 368, 370, 377, 398, 415, 432; petition of, 381; power of attorney by, 229; questions asked of, 395; see St. Joseph & St. Helena.
St. Martha, mentioned, 495.
St. Martin's island, mentioned, 203, 204.
Salary, amount of governor's discussed, 465; amount of deputy governor's discussed, 449, 453; statement of paid to sundry officials, 449.
Salisbury, mentioned, 183.
Salkeld, mentioned, 452.
"Sally" schooner, mentioned. 199,
"Sally" ship, mentioned, 493.
Saltonstall, Col. Gurdon, documents signed by, 167, 199, 212, 406; letters written by, 198, 222, 224, 233, 245, 253, 258, 265, 402, 422; letters written by, 216, 256, 270, 271, 413; list of merchandise received by, 199; mentioned, 7, 17, 209, 210, 212, 217, 225, 226, 228, 245, 266, 267, 268, 273, 274, 287, 289, 290, 294, 298, 299, 304, 305, 318, 319, 320, 372, 398, 403, 404, 406, 407, 415, 416, 439.
Saltonstall, Gov. Gurdon, mentioned, 449, 453.
Sandwich, Lord, mentioned, 85.

Santiago de Cuba, mentioned, 495.
"Sarah and Abigail" sloop, mentioned, 481.
Saratoga, mentioned, 464.
"Savanna" brigantine, mentioned, 200.
Sawyer, Isaac, mentioned, 432.
Saybrook, mentioned, 481, 482.
Seabury, Rev., mentioned, 59.
"Seahorse" brig, mentioned, 187, 244.
Searl, Rev. John, attends consociation meeting, 183.
Senacas' country, mentioned, 161.
Sequestered lands, number of settlers on, 239.
Serondo, Domingo, mentioned, 277, 298, 385, 386, 387.
Sharon, mentioned, 183.
Sharpe, John, letter written by, 33; letter written to, 2; mentioned, 22, 34, 49, 113, 114, 115, 132, 220, 221, 238, 397.
Sharpe, Joshua, letter written to, 117, 118; mentioned, 115, 120, 189.
Sharpe, William, documents signed by, 53, 151.
Sharret, mentioned, 239.
Shaw, Capt. Nathaniel, bills of exchange bought by, 193, 195; mentioned, 103, 187, 230, 233.
Sheffield, George, mentioned, 75.
Sheffield, mentioned, 106.
Sheldon, Epaphras, mentioned, 33.
Sherman, James, document signed by, 60.
Shipman, Dr., mentioned, 56.
Ships, list of registered in Connecticut, 481; captured after a certain date to be returned, 492.
Shirley, Capt., mentioned, 303.
Shirley, Gov. William, letters written by, 374, 413, 496; letters written to, 394, 421, 432, 468, 496; mentioned, 221, 231, 232, 311, 355, 356, 421, 437, 461, 462, 463, 467, 472, 491, 500, 501.
Silesia, mentioned, 400.
Silk, act of parliament for encouraging growth of received, 522.
Silliman, Mr., mentioned, 406.
Simsbury, mentioned, 10, 11, 177, 326, 328, 337, 339, 348, 350, 351, 353, 356, 484.
Simson (Simpson) Capt. John, deposition of, 203; document signed by, 203; mentioned, 200, 202, 205, 206, 210, 222, 223, 226, 240, 248, 280, 281, 282, 283, 285, 286, 289, 319, 382, 415.
Six Nations of Indians, meeting to be held with, 22; meeting with postponed, 52; members of invited to settle in Massachusetts, 104; mentioned, 106, 107, 159, 161, 428; provision made for education of some children of, 105; sending missionaries to proposed, 94; to be urged to join the English, 23.
Sloan (Slone), Mr., mentioned, 123, 211, 402, 403, 422.
Sloan, Robert, bill of exchange bought by, 193.

Small pox, case of mentioned, 133; epidemic of mentioned, 121, 171.
Smith, John, document signed by, 60.
Smith, Capt. John, mentioned, 416.
Smith, Capt. Joseph, mentioned, 295, 361, 364, 367, 372, 378, 398, 399, 408, 424, 432.
Smith, William, document signed by, 488; letter written by, 230.
Society for the propagation of the gospel, answer to complaint to, 108; letter written by, 108; letter written to secretary of, 121; mentioned, 105, 106, 116, 117, 119, 123; troubles of a missionary of, 55, 58, 59.
Soldiers, discussion as to sending at request of Massachusetts, 468; sent to guard frontiers, 461; sent into Massachusetts and New York, 471, 473.
Somers, mentioned, 11, 13, 44, 177, 332, 339, 340, 348, 354, 356, 358, 429, 483, 486, 496, 497, 498, 511, 514.
Southbury, mentioned, 183.
South Kingston, mentioned, 454.
Snow, Joshua, mentioned, 199.
South Hanover, letter dated at, 29.
Spain, mentioned, 213, 251, 275, 277, 278, 279, 288, 297, 299, 300, 305, 306, 319, 364, 371, 372, 373, 374, 378, 381, 383, 390, 403, 415, 417, 418, 427, 433, 492; see also New Spain.
Spain, King of, mentioned, 32, 241, 247, 270, 277, 278, 387.
Spaniards, certificate about money carried away from, 523; theft from described, 28.
Spanish governments in America, list of, 495.
Spanish minister, mentioned, 28.
Spanish snow, see "St. Joseph & St. Helena."
Spanish West Indies, mentioned, 72, 278.
Sparrow, Samuel, letter written by, 47; mentioned, 50, 52, 82, 97, 189.
Springfield, mentioned, 11, 12, 13, 330, 331, 336, 338, 353, 354, 485, 486, 514.
Stafford, mentioned, 339.
Starr, Capt., mentioned, 244, 264, 444, 445.
Starr, Samuel, bills of exchange bought by, 192, 194; document signed by, 62; mentioned, 86.
Stennet, Dr., mentioned, 426.
Steward, Mr., mentioned, 121.
Stewart, Mr., mentioned, 245, 246, 247, 253, 255, 269.
Stewart, Matthew, bills of exchange bought by, 193, 194.
Stockbridge, letter dated at, 159; mentioned, 429, 471, 476, 477.
Stocking, Joseph, bill of exchange bought by, 193.
Stoddard, Capt., mentioned, 170, 181.
Stoddard, Rev. Anthony, attends consociation meeting, 183; mentioned, 184.
Stone, Andrew, letter written by, 150.

Stone, Timothy, document signed by, 507.
Stonington, letter dated at, 454; mentioned, 75.
Storke, Samuel, mentioned, 40, 41, 42, 70, 74.
Storke & Champion, mentioned, 44, 49, 54, 82, 83, 85, 102.
Stratford, mentioned, 482.
Stratton, mentioned, 151.
"Success" sloop, mentioned, 481.
Suffield, letter dated at, 500; mentioned, 10, 11, 12, 13, 33, 43, 78, 79, 173, 174, 177, 326, 329, 331, 332, 336, 338, 339, 340, 348, 350, 351, 353, 354, 356, 358, 359, 429, 483, 486, 487, 496, 497, 498, 508, 509, 511, 514.
Sugar and molasses act, talk of further continuance of, 170.
Sugar colonies or islands, mentioned, 1, 35, 98, 111, 159, 222.
Sugar refiners or traders, efforts of described, 260, 261; petition of described, 259; petition of mentioned, 303.
Survey of a line, 33.
"Susanna" brig or brigantine, mentioned, 203, 205, 210, 280, 382.
Susquehannah, making settlement at considered, 435.
Susquehannah river, opinion of Roger Wolcott about establishing settlement on, 428.
"Swallow" sloop, mentioned, 482.
"Swan" sloop, mentioned, 482.

Talcott, Capt., mentioned, 521, 522.
Talcott, Matthew, bills of exchange bought by, 192, 194; document signed by, 62; letter written by, 187; mentioned, 86.
Talcott, Lieut. Col. Samuel, bills of exchange bought by, 192, 194, 303; document signed by, 62; mentioned, 51, 86.
Tansen, mentioned, 48.
Taweetauwee Indians, mentioned, 159, 161.
Tayler, mentioned, 239.
Tayler, Rev. Nathaniel, attends consociation meeting, 183.
Taylor, James, mentioned, 326, 327, 328.
Temple, Mr., mentioned, 253.
"Thankfull & Ann" sloop, mentioned, 482.
Thomas, Mr., mentioned, 443.
Thompson, John, letter written by, 59.
Thompson, Wright, mentioned, 86.
Thompson, see Eliot & Thompson, Punderson & Thompson, Wright & Thompson.
"Three Brothers" sloop, mentioned, 482.
Tiffany, mentioned, 316.
Tilly, James, bill of exchange bought by, 194.
Tilt hammers, list of in Connecticut, 74.
Tiverton, mentioned, 454.
Todd, Michael, document signed by, 60.

Tomlinson, Mr., mentioned, 507.
Torrington, mentioned, 183.
Toto, mentioned, 353.
Townshend, Charles, letter written by, 150.
Trade, being ruined by depreciation of paper currency, 60, 63, 64, 65; discussed, 37; effort to prevent with foreign sugar islands, 35; fear of injury to of Connecticut, 111; methods for improving discussed, 491; of American colonies discussed, 98; of Connecticut described, 182; with Connecticut desired by Massachusetts, 374; with West Indies discussed, 1.
Treat, Dep. Gov. Robert, mentioned, 449.
Treaty, between Great Britain and Spain mentioned, 32.
Trees, see White pine trees.
Trinidad de Barlovento, mentioned, 495.
Trout, Capt., mentioned, 244.
Trumble (later Trumbull) Col. Jonathan, bill of exchange bought by, 47; document signed by, 101; letters written to, 50, 431; mentioned, 47, 50, 54, 76, 79, 83, 97, 355; see Trumble, Pitkin & Williams.
Trumble, Pitkin & Williams, bill of exchange bought by, 192.
Trumbull, mentioned, 68.
"Tryal" sloops, mentioned, 481, 482.
"Tryal" schooner, mentioned, 482.
Turner, see Able & Turner.
Turner, Arnold, bill of, 410; document signed by, 410.

Uncas, deed from mentioned, 220; deed of received in England, 243; mentioned, 325.
Uncas, Maj. Ben, mentioned, 238, 239.
Union, mentioned, 108, 117, 339.
United Brethren, act of parliament to encourage settlement of received, 522.
Urannaga (Oranage), Capt. Christoval de, document signed by, 201; examination of, 201; mentioned, 204, 205, 206, 208, 212, 242, 277, 291, 298, 387.
Utrecht, treaty of mentioned, 24.

Valenzian, Charles, mentioned, 278.
Varas and Valdes, Lord Francis de, mentioned, 278.
Venezuela, mentioned, 495.
Venice, mentioned, 100.
Vera Cruz, mentioned, 495.
Vessel of colony, service by described, 72.
Vessels, list of registered in Connecticut, 481.
Vice admiralty, Court of, decree of, 240.

Virginia, mentioned, 399, 435, 438, 393, 523.
Vivas, Antonio, mentioned, 277, 286, 298.
Vosper, Daniel. deposition of, 205; document signed by, 205; mentioned, 204, 210, 280, 281, 282, 286.

Wade, Capt., mentioned, 86, 87.
Wade, Zebulon, mentioned, 28.
Wadsworth, James, documents signed by, 109, 110, 507.
Wages, statement of paid to sundry officials, 449.
Wait, Richard, document signed by, 62.
Wales, Prince of, death of mentioned, 45, 49, 51, 70, 74, 93; see George, Prince of Wales.
Walker, Robert, has bill of exchange, 427.
Wall, Gen., mentioned, 28, 524.
Walley, Abiel, mentioned, 376.
Wallingford, mentioned, 108.
Wallis, David, mentioned, 75.
Wampum belt, mentioned, 160, 161.
Wanton, Gov. Gideon, letter written by, 401; mentioned, 96, 259, 315, 323.
Ward, Thomas, attestation of copy of document by, 81; document signed by, 80.
Warner, Ashton, letter written by, 31.
Warren, Vice Admiral Sir Peter, letter written to, 99; mentioned, 68, 106, 461, 462.
Warwick, letters dated at, 27, 46, 78.
Webb, Joseph, bills of exchange bought by, 193, 194.
Webb, Philip Cartaret, letters written by, 117, 118; mentioned, 113.
Welles, Mr., mentioned, 431.
Welles, Thomas, document signed by, 101.
Wells, Mr., mentioned, 239.
Wells, Rev., mentioned, 230.
Wells, Anthony, letter written by, 189; mentioned, 220, 238.
Wendell, Jacob, document signed by, 105; mentioned, 105.
Wentworth, Gov. Benning, documents signed by, 232, 310; letters written by, 231, 309; letter written to, 235; mentioned, 378, 379, 467; proclaimed surveyor general of his majesty's woods, 313.
Westfield, mentioned, 12, 13, 331, 338, 353, 354, 380, 486.
West India merchants, activities of about trade, 35; affair of discussed, 97, 168, 171, 243; application of to Lords of Trade discussed, 1; attempt of to regulate trade mentioned, 133, 134; efforts of mentioned, 89, 197, 222; memorial of about trade, 36; memorial signed by, 36; opposition of about trade by New England mentioned, 48; petition of mentioned, 43, 50, 71, 159, 490; proceedings on petition of 53; report on petition of, 45; suggestions for answer to be made to memorial of, 110.

West Indies, expedition to mentioned, 490; list of articles shipped in cargo, from, 278; mentioned, 98, 201, 206, 493; trade with sugar islands of mentioned, 182.
Westminster, mentioned, 103, 345.
Wethersfield, letter dated at, 421; mentioned, 325, 335, 482.
Whale fishery, act of parliament to encourage received, 522.
Wheeler, Zaccheus, document signed by, 406.
Wheelock, Rev. Eleazer, letter written by, 431.
Wheelwright, Mr., mentioned, 440.
Whipple, Joseph, letter written by, 121; mentioned, 259.
Whipple, Oliver, mentioned, 323.
White Joel, bills of exchange bought by, 47, 83, 192.
Whitehall, document dated at, 135; letters dated at, 28, 32, 45, 81, 100, 150, 154, 155, 161, 243, 311; mentioned, 118, 400.
White pine trees, cutting of forbidden, 309; difficulty feared over seizure of, 235; mention of in Connecticut, 235; ordered seized for masts, 232; seized as having been illegally cut, 379.
Whiting, Nath., mentioned, 85.
Whiting & Darling, bill of exchange bought by, 192; see Darling & Whiting.
Whiting's pond, mentioned, 330.
Whitmore, Daniel, mentioned, 310.
Whittlesey, mentioned, 239.
Whittlesey, Chauncey, bills of exchange bought by, 192, 193; document signed by, 60.
Whittlesey, Elisha, bills of exchange bought by, 192, 193; document signed by, 60.
Whittlesey, Moses, mentioned, 40.
Wilkinson, Israel, mentioned, 165.
Wilks, Mr., mentioned, 523.
Willard, Col. Josiah, attestation of copies of documents by, 107, 514; letter signed by, 497; letters written by, 76, 79, 104, 478, 505, 511, 513; letters written to, 19, 76, 180, 380, 429, 431, 471, 506, 512, 515; mentioned, 499, 507, 510.
Willes, Lord Chief Justice, at meeting of Council, 151.
William, King, mentioned, 345.
Williams, Maj., mentioned, 476, 478.
Williams, David, mentioned, 481.
Williams, Col. Elisha, about to return from England, 84; assistance of to colony's agent described, 84; bill of exchange bought by, 192; has returned from England, 171; letters written by, 50, 421; letter written to, 376; mentioned, 3, 18, 19, 34, 43, 51, 69, 70, 86, 87, 88, 91, 93, 99, 134, 189, 196, 219, 263, 421, 468, 470.
Williams, Capt. Elisha, Jr., bill of exchange bought by, 47; document signed by, 62; letter written to, 50; mentioned, 83, 219, 476; see Trumble, Pitkin & Williams.

Williams, Capt. Erasmus, mentioned, 295.
Williams, Israel, letter written by, 476; mentioned, 514.
Williams, Capt. John, attends consociation meeting, 183; mentioned, 184.
Williams, Joseph, bill of exchange bought by, 193.
Williams, Samuel, mentioned, 75, 431.
Williams, William, mentioned, 46.
Willis, Samuel, bill of exchange bought by, 193.
Wills, act of parliament relating to attestation of received, 162.
Wilson, mentioned, 231.
Windham, mentioned, 108, 124, 407.
Windham county, mentioned, 75, 316, 380.
Windsor, documents dated at: 229, 313, 364; letters addressed to, 34, 44, 46, 48, 52, 68, 78, 82, 87, 89, 95, 112, 132, 158, 181, 195, 230, 234, 243, 245, 253, 259, 260, 265, 266, 274, 303, 365, 402, 422, 426; letters dated at, 6, 18, 19, 21, 25, 26, 43, 67, 69, 71, 74, 76, 88, 94, 96, 99, 116, 130, 145, 148, 149, 170, 172, 179, 180, 182, 217, 218, 220, 228, 235, 236, 237, 238, 256, 264, 270, 271, 273, 305, 307, 313, 316, 318, 323, 368, 370, 373, 374, 400, 401, 403, 405, 411, 413, 419, 420, 421, 423, 432, 434, 435, 438, 459, 471; mentioned, 8, 10, 19, 33, 47, 103, 172, 173, 176, 177, 199, 209, 235, 246, 296, 325, 326, 327, 328, 329, 335, 336, 337, 342, 348, 350, 351, 353, 356, 380, 417, 429, 433, 484, 501, 502, 508.
Winthrop, Gov. Fitz John, mentioned, 449.
Winthrop, Ann, document signed by, 214.
Winthrop, John, mentioned, 347.
Winthrop case, mentioned, 450, 452.
Wlerick, Mr., mentioned, 440.
Woddel, John, mentioned, 103.
Wolcott, Madame, mentioned, 459.
Wolcott, Alexander, bill of exchange bought by, 192; mentioned, 86, 244.
Wolcott, Erastus, certificate written by, 33.
Wolcott, Josiah, document signed by, 214.
Wolcott, Gov. Roger, advertisement written by, 370; attestation of copy of document by, 208; book presented by mentioned, 187; certification by, 364; consideration by about boundary line controversy with Massachusetts, 176; declaration by about affair of the "St. Joseph & St. Helena," 432; documents signed by, 201, 203, 205, 206, 208, 212, 370, 428, 432, 507; letters written by, 6, 18, 19, 21, 25, 26, 43, 67, 69, 71, 74, 76, 88, 94, 96, 99, 116, 130, 145, 148, 149, 169, 170, 172, 179, 180, 182, 214, 216, 217, 218, 220, 228, 229, 235, 236, 237, 238, 256, 264, 270, 271, 272, 305, 307, 312, 313, 316, 318, 323, 364, 368, 373, 374, 394, 400, 401, 403, 405, 411, 413, 419, 420, 421, 423, 434, 435, 438, 459, 471; letters written to, 7, 22, 27, 31, 34, 40, 41, 44, 46, 47, 48, 52, 53, 68, 76, 78, 79, 82, 86, 87, 89, 90, 91, 95,

100, 102, 104, 108, 112, 114, 118, 121, 125, 132, 154, 158, 159, 167, 170, 181, 187, 189, 190, 195, 198, 200, 208, 213, 215, 222, 224, 225, 226, 227, 230, 231, 233, 234, 240, 243, 244, 245, 251, 253, 257, 258, 259, 260, 262, 264, 265, 266, 274, 303, 304, 309, 311, 314, 361, 362, 365, 366, 367, 368, 370, 373, 374, 375, 377, 389, 391, 394, 397, 398, 399, 401, 402, 406, 407, 413, 421, 422, 426, 437, 441, 443, 475, 476, 478, 499; mentioned, 8, 42, 47, 50, 77, 82, 124, 125, 126, 174, 176, 193, 212, 214, 252, 253, 287, 288, 289, 291, 292, 294, 296, 297, 380, 382, 383, 385, 386, 387, 406, 481; opinion of about settlement on the Susquehannah river, 428; proceedings of about the "St. Joseph & St. Helena," 208; proclamation by, 313; state of the case of the "St. Joseph & St. Helena," 415.

Wolcott, Capt. Roger, Jr., letter written by, 398; letter written to, 124; mentioned, 135, 149, 234.

Woodbridge, Dudley, bill of exchange bought by, 193.

Woodbridge, Timothy, mentioned, 429.

Woodbury, mentioned, 183.

Woods, His majesty's, appointment of surveyor general for proclaimed, 313; care of mentioned, 467; deputy appointed for care of in Connecticut, 231, 232; orders for protecting, 310; trouble over protecting, 310.

Woodstock, mentioned, 10, 11, 13, 43, 75, 177, 329, 330, 332, 336, 337, 339, 340, 348, 349, 350, 351, 354, 356, 358, 359, 380, 429, 483, 484, 485, 486, 489, 496, 497, 498, 499, 505, 506, 508, 509, 511, 514.

Woodward, Nathaniel, mentioned, 8, 164; see Woodward & Saffery.

Woodward & Saffery's line, stake, station or tree, location of described, 126; mentioned, 6, 7, 8, 9, 27, 46, 67, 88, 164, 165, 172, 173, 174, 175, 176, 178, 325, 327, 328, 330, 335, 336, 337, 339, 340, 342, 347, 348, 349, 380, 383, 384, 501, 508, 509.

Wooster, David, document signed by, 60.

Worcester, letters dated at, 380, 429, 431.

Worcester county, mentioned, 505.

Wrentham, mentioned, 27, 126, 135, 165, 174, 177, 330, 501, 502, 508.

Wright, Joseph, bill of exchange bought by, 192; document signed by, 62; mentioned, 86.

Wright, William, document signed by, 62; mentioned, 379.

Wright & Thompson, bill of exchange bought by, 192.

Wyllys, Lieut. Col. George, attestation of copy of document by, 516; documents signed by, 109, 110, 162, 167, 395, 517; letter signed by, 400; letter written to, 511; mentioned, 180, 289, 380, 512.

Yale College, troubles in mentioned, 458.

"Yateks" boat, mentioned, 190.

York, Duke of, mentioned, 430.

Youngs, Sir John, mentioned, 324, 334.

Yucatan, mentioned, 496.

ERRATA.

Page 79, for "July 2. 1750" read "July 2. 175[ ]"

Page 225, for "Joseph Hill" in head-line read "Joseph Hull."

Page 264, for "Joseph Hall" in title to letter read "Joseph Hull."

Page 277, for "Geo Banyas" read "Geo Banyar."

Page 481. The printing here of the undated "List of Connecticut Vessels" is an error. Comparison with the Connecticut Colonial Records, VII. 582, shows that this is a copy of the list sent to the Board of Trade in 1730. This copy differs from the original list as printed in the following particulars: for "Williams" read "Williamson," for "Many & Mary" read "Mercy & Mary," for "Allen" read "Alten," for "Booth" read "North."

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